## 1NC

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#### “Free speech” is a Eurocentric notion which seeks to assimilate other bodies into its purview. Free speech applies only to white life and justifies racial dominance. American press proves – when Black people express their protest in forms of “Black Lives Matter” movements or revolts they are shut down because they are “perceived” as a threat to society. Black protest is *always* considered and implicated as unconstitutional within a constitution built upon slavery which means the affirmative can never solve.

**Andrews in ‘16** Kehinde Andrews, Lisa Amanda Palmer "Blackness in Britain" 2016 Routledge Research in Race and Ethnicity

**The lure of a definitive fracture between what it means to be Black and what it means to be European remains at the heart of European forms of domination and governance over non-White non-Western human beings.** The dominant European discourse on immigration, for example, which sits squarely next to expressions of anti-Black and anti-Muslim racisms, works to reinforce the idea that the ‘non-White other’ remains a recurring threat to the assumed coherency of European security and identity. **Europe as an ethnic absolutist fantasy becomes heavily invested in bio-ethnic racial discourses of White hegemony that at once it seeks to uphold and deny through the performance of humanitarianism on one hand while enacting policies that institute race on the other.** The abhorrent racism of David Cameron’s Government towards people crossing the Mediterranean Sea is one where an ethnic absolutist narrative is concerned with protecting and securing UK borders by dehumanizing and criminalizing migrant peoples. The blatant anti-African racism of the British Foreign Secretary, Phillip Hammond, was demonstrated during the summer of 2015 when he claimed that millions of ‘marauding’ African migrants were threatening European standards of living and its social structure (Perraudin, 2015) **The dominant discourse** on immigration in Britain **shaped by the hegemony of the** British right-wing **Government and media** **where racism is more widely blamed for regulating ‘European values’ of free speech and thought** (Hart, 2014) rather than its insidious and ubiquitous role in structuring the terms of debate and of governance. David Cameron can therefore be condemned as ‘irresponsible’ for labelling migrants at the border of Calais as a ‘swarm’ equating their humanity to the lives of pesky insects, without racism being named as the problem that underpins this ideological position. **Black and Brown proximity to death can only be normalized within a social context where Black and Brown bodies are routinely dehumanized and over regulated within racialized power structures that over validate White lives above all others. Regulating Black bodies and tolerating Black deaths underscores the rationale that Black deaths can be consumed and explained away as a recurring, if not necessary, spectacle to guard against the impending and perceived threat of White ‘cultural mutation’** (Gilroy, 1993, 2). Securing White Western hegemony as an ethnic absolutist fantasy has created an ugly, terrifying and perverse social order built on structures of knowing that position European states and European populations (to paraphrase Mignolo, 2011) as ‘the only victims in town.’ In this hegemonic logic of White privilege, being called ‘a racist’ is perceived to be more damaging than social formations of racism because naming racism disrupts White racial comfort (DiAngelo, 2011). Such name calling fosters what is believed to be a harmful culture of “White conformity’ to multiculturalism (Hart, 2014). **In this reality, the human disaster of Black and Brown people being abandoned to drown at sea becomes relegated by what is believed to be the more pressing issue of White individualized victims of freedom of speech.** The whitewashing of freedom of speech permits British tabloid columnists such as Katie Hopkins to gleefully comment on the migrant crisis that, ‘No, I don’t care. Show me pictures of coffins, show me bodies floating in water, play violins and show me skinny people looking sad. I still don’t care,’ all in the name of her protected freedom of expression (Hopkins, 2015). Such a toxic moral compass functions in a dysfunctional political climate where the British Government decides not to support search and rescue operations for migrants because the policy of allowing them to drown is believed to be a deterrent (Young, 2015). Discourses that further produce false moral distinctions between ‘refugees’ and ‘economic migrants’ institute an anti-Black racist logic that appeals to populist sentiments where one group of humanity fleeing war in one region of the world are seen as more deserving of humanitarian assistance than people fleeing poverty and abuses of their human rights. An insidious right-wing populist climate in Britain remains largely unmoved by Black deaths. Instead, African migrants can be explicitly named as ‘marauding’ opportunists intent on irreparably damaging the imagined cultural fabric of Europe. **One way to guard against the perceived hyperbolic threat of cultural mutation is to engage and re-engage the idea that Europeaness** – coded as White authority, charity, liberalism, democracy, capitalism, Christianity, rationality and **free speech – must be defended at all costs. These racialized structures of knowledge not only assume and naturalize Eurocentric political hegemony, they are intimately linked to institutional spaces that have the power to legitimize and produce Eurocentric epistemologies and systems of knowing.** As Sylvia Wynter writes, “The central institutional mechanisms which integrate and regulate our present world system, I propose here, are the prescriptive categories of our present order of knowledge, as disseminated in our present global university system and its correlated textbook industry.” (Wynter, 1994, 55) Wynter’s indictment is the Eurocentric centres of learning are directly implicated in the dissemination of ideas into the wider public sphere by ordering the human configuration of society. Wynter was writing in the aftermath of the Los Angeles riots that had taken place after a Simi Valley jury, with no Black jurors, acquitted four White police officers for the beating of Rodney King. Her open letter to her colleagues at Stanford University called in question the purpose of Black studies in the US. For Wynter, the purpose of Black studies was to rewrite knowledge in service to the dispossessed, to draw our attention to ‘the systematic condemnation nof all the Rodney Kings, and the global poor and jobless who pay the price for our well-being’ (Wynter, 1994, 70). The letter was written to underscore her point that new frontiers of knowledge are required to escape the trap of its present organization (Wynter, 1994). I nits present organization, **White hegemonic logics and knowledge structures create both the epistemological and social conditions that make Black lives both disposable and dispensable.** Wynter reminds us that **systems of knowledge produced in the academy are inseparable from the empirical arrangements of society,** a point that is an applicable to the dispossessed in the US as it to the UK.

#### The structure of college campus’ work to systematically exclude black students and professors. Calling upon the college to remove limits reifies the control that colleges have over the lives of black students and professors. The fact that black professors are not hired demonstrates that white supremacy is woven into the logic of colleges.

Wingfield ’15, [Adia Harvey Wingfield(), The Plight of the Black Academic, Atlantic, 12-15-2015, 15,

There’s a great deal of research—including the work of the sociologists Joe Feagin and Wendy Leo Moore—showing that the conditions black students are protesting are serious, widespread, and often ignored. In one account, Feagin shares a story of **a black student who waits after class to ask a white professor a question about that day’s lecture, only to be told “I thought you were waiting to rob me or something**.” Another student describes “one of those sad and angry nights” when, walking to the dorm, white students drove by yelling racial slurs and throwing beer cans at him. In Wendy Leo Moore’s study of elite law schools, she offers similarly wrenching examples. For instance, there is the white professor who punishes a black female law student for discussing the offensiveness of racial slurs, but does not challenge the white male law student who comments during a class discussion that black students are intellectually inferior. As Moore describes, even the ways law schools teach students to focus on “individual intent” means that **social, academic, and legal practices that discriminate against students of color can be summarily dismissed if white social actors “didn’t mean any harm.”** Thus, no matter how invidious the action, no matter the consequences of the behavior, legal reasoning centers on individual whites’ intentions and discounts the lived experiences of people of color. For faculty of color, similar processes are frequently at play. In fact, **predominantly white colleges and universities may even be more reluctant to recruit and hire faculty of color than students of color**. While students matriculate at an institution for a short period of time and then leave, **the tenure system means that faculty of color may remain at a university for decades, even a lifetime**. With this longer time frame, **these professors develop more of a stake in the school, and may be more empowered to push for the reforms many colleges resist**. For universities that see no real reason to change their existing practices, traditions, and organizational cultures, bringing in a critical mass of faculty of color is often a stated goal that never materializes. Indeed, when it comes to faculty diversity, the numbers suggest a pretty bleak picture. **Blacks constitute less than 10 percent of the professoriate**, and these numbers thin out the higher the academic rank. And as lots of research shows, when these professors are in the numerical minority, their experiences aren’t all that different from what DuBois encountered as he attempted to navigate higher education in the early 20th century: exclusion, marginalization, and the consistent message that, as a black person, he was not suited for the academy and that his ideas were unwelcome. Indeed, Supreme Court Justice Antonin Scalia’s recent suggestion that blacks are best suited for “less advanced, slower track school[s] where they do well” are strikingly similar to the arguments about black inferiority that DuBois confronted in the 19th century—the very assertions he was able to debunk with scientific research**. Many faculty members and administrators will dismiss this lack of diversity as a pipeline issue, claiming that they simply can’t find “qualified” candidates of color to fill faculty positions**. But as was the case in DuBois’s day, many historically black colleges and universities are populated by faculty of color, many of whom are exemplary researchers and teachers who work with a fraction of the resources offered at elite, predominantly white universities. “**Qualified” candidates of color** are there. They simply **are not proportionately represented in historically white institutions**. For faculty of color who do seek and find employment at predominantly white schools, research suggests that the issues they face are in some ways similar to those that students of color have described in the recent wave of protests. For example, in a recent study, the professors Ebony McGee and Lasana Kazembe noted that black faculty were racially stereotyped at work, including being generally expected to entertain and perform for colleagues in ways that were not expected of their white counterparts. Other black professors report that if they study issues related to race, their research is assumed to be less credible, serious, and rigorous than their white peers—even if white colleagues also study racial issues. Black faculty also do a disproportionate amount of service work—jobs that are expected of workers but not explicitly required. These can include mentoring and advising students and junior faculty, serving as a faculty advisor for campus clubs, or being on committees. And there are gender dynamics present as well. The sociologist Roxana Harlow found that **black female professors had to manage gendered racial stereotypes that they were “mean” and “cold” in the classroom, stereotypes that are commonly applied to black female professionals more generally**. And this says nothing of the racialized assumptions that many students (and fellow faculty) bring with them to the university—that black Americans, and by extension, black professors, are less knowledgeable and credible than their peers of other races, regardless of the subject matter they teach. This means that **in practice, black faculty routinely face students, coworkers, and administrators who assume that they are not truly qualified for or capable of faculty work**—all the while concealing the understandable feelings of frustration and annoyance that result. The overall message is that, like black students, black faculty simply do not belong. Though these issues are complex and won’t be solved easily, universities could begin doing more to support faculty and staff of color. DuBois defined the premier problem of the 20th century as the issue of the color line, and this certainly shaped his experiences in higher education. It doesn’t have to be this way today. SK

The 1NC offers a politics of decolonization as the greatest rupture – the process of the 1NC is uniquely beneficial. The 1NC’s call for decolonization, the *demand* for decolonization is exactly why the critique is so crucial to this approach.

Fanon in ‘61, [THE WRETCHED OF THE EARTH By FRANTZ FANON Preface by JEAN-PAUL SARTRE Translated by CONSTANCE FARRINGTON GROVE, WEIDENFELD NEW YORK CONCERNING VIOLENCE, published post hum in 1961, SK.]

National liberation, national renaissance, the restoration of nationhood to the people, commonwealth: whatever may be the headings used or the new formulas introduced, **decolonization is always** a **violent** phenomenon. **At whatever level we study it**--relationships between individuals, new names for sports clubs, the human admixture at cocktail parties, in the police, on the directing boards of national or private banks--decolonization is quite simply the replacing of a certain "species" of men by another "species" of men. Without any period of transition, there is a total, complete, and absolute substitution. It is true that we could equally well stress the rise of a new nation, the setting up of a new state, its diplomatic relations, and its economic and political trends. But we have precisely chosen to speak of that kind of tabula rasa which characterizes at the outset all decolonization. Its unusual importance is that it constitutes, from the very first day, the minimum demands of the colonized. To tell the truth, **the proof of success lies in a whole social structure being changed from the bottom up**. **The extraordinary importance of this change is that it is willed, called for,** demanded**.** The need for this change exists in its crude state, impetuous and compelling, in the consciousness and in the -35- lives of the men and women who are colonized. But the possibility of this change is equally experienced in the form of a terrifying future in the consciousness of another "species" of men and women: the colonizers. **Decolonization**, **which sets out to change the** order of the **world**, **is**, obviously, **a program of** complete disorder. **But it cannot come as a result of** magical practices, nor of a **natural shock**, nor of a friendly understanding. Decolonization, as we know, is a historical process: that is to say that it cannot be understood, it cannot become intelligible nor clear to itself except in the exact measure that we can discern the movements which give it historical form and content. Decolonization is the meeting of two forces, opposed to each other by their very nature, which in fact owe their originality to that sort of substantification which results from and is nourished by the situation in the colonies. Their first encounter was marked by violence and their existence together--that is to say the exploitation of the native by the settler--was carried on by dint of a great array of bayonets and cannons. The settler and the native are old acquaintances. In fact, the settler is right when he speaks of knowing "them" well. For it is the settler who has brought the native into existence and who perpetuates his existence. The settler owes the fact of his very existence, that is to say, his property, to the colonial system. Decolonization never takes place unnoticed, for it influences individuals and modifies them fundamentally. It transforms spectators crushed with their inessentiality into privileged actors, with the grandiose glare of history's floodlights upon them. It brings a natural rhythm into existence, introduced by new men, and with it a new language and a new humanity. Decolonization is the veritable creation of new men. But this creation owes nothing of its legitimacy to any supernatural power; **the** -36- **"thing" which has been colonized becomes [hu]man during the same process by which it frees itself. In decolonization, there is therefore the need of a complete calling in question of the colonial situation.** If we wish to describe it precisely, we might find it in the wellknown words: "The last shall be first and the first last." Decolonization is the putting into practice of this sentence. That is why, **if we try to describe it, all decolonization is successful**. **The naked truth of decolonization evokes for us the searing bullets and bloodstained knives which emanate** from it. For if the last shall be first, this will only come to pass after a murderous and decisive struggle between the two protagonists. That affirmed intention to place the last at the head of things, and to make them climb at a pace (too quickly, some say) the well-known steps which characterize an organized society, can only triumph if we use all means to turn the scale, including, of course, that of violence. You do not turn any society, however primitive it may be, upside down with such a program if you have not decided from the very beginning, that is to say from the actual formulation of that program, to overcome all the obstacles that you will come across in so doing. The native who decides to put the program into practice, and to become its moving force, is ready for violence at all times. From birth it is clear to him that this narrow world, strewn with prohibitions, can only be called in question by absolute violence. The colonial world is a world divided into compartments. It is probably unnecessary to recall the existence of native quarters and European quarters, of schools for natives and schools for Europeans; in the same way we need not recall apartheid in South Africa. Yet, if we examine closely this system of compartments, we will at -37- least be able to reveal the lines of force it implies. SK

#### This is especially key in the context of college campus’s – violent revolutionary action against the university which defends ruling and subjugating Blackness is key.

Mullen, [Review By Bill Mullen(), Black campuses in revolt, No Publication, xx-xx-xxxx, xx, http://isreview.org/issue/85/black-campuses-revolt, 1-6-2017. SK]

IBRAM H. Rogers’ The Black Campus Movement: Black Students and the Racial Reconstitution of Higher Education, 1965–1972, is one of the best books yet published analyzing the long history of struggle by African Americans to achieve equality in American higher education and the contradictory role of the university in Black freedom struggles. The book smashes the image that many hold—of Black student campus protest as a “1960s thing.” Rogers shows how beginning in the 1920s **Black students used direct action, nonviolent protest, and carefully planned strikes, walkouts, and boycotts to fight for everything from better food and living conditions to more control over their studies and curriculum as well as more Black professors in the classroom.** These protests gradually merged with and became an independent stream in wider social protests of the 1950s and 1960s. Rogers demonstrates repeatedly that small historically Black colleges were the leading edge of these demonstrations because they were subject to chronic under funding and because students felt greater group solidarity than on largely segregated white campuses. The book also shows that the roots of COINTELPRO (the FBI’s Counter Intelligence Program) were planted in state and federal surveillance and repression of Black student protests dating back to the 1920s and 1930s. By the 1960s, **elevated Black student consciousness was the cutting edge of social revolution**. The demand for Black studies as an academic discipline was the culmination of nearly 100 years of effort by African Americans to articulate what W. E. B. DuBois called the “half-strangled” cries of Black people for recognition of their role in emancipating themselves from slavery, oppression, and racism. Even before Black people were free in America, they wanted to go to school. Mary Jane Patterson, the daughter of fugitive slaves, was the first African American woman to receive her B.A. degree in 1862. Even before formal emancipation, writes Rogers, “legions of African American revolting nationalists and egalitarian elites” began building colleges in territories occupied by Union forces. Between 1865 and 1867, seventeen Historically Black Colleges and Universities (HBCU) were established. Due to economic underdevelopment and restricted civil rights, Black self-activity in education necessarily depended on the federal government and white patronage. Congress chartered Howard University in Washington, D.C., in 1867. In 1868, General S.C. Armstrong founded Hampton Institute using a formula reflecting the same material contradictions besetting African Americans after emancipation that would provide the seeds of their rebellion. Hampton was a “model of education for paternal conservatives and accommodating separatists that would take hold of black higher education with the support of Southern segregationists and Northern capital when they deconstructed the gains of Reconstruction” (13). The next wave of Black access to higher education was the World War I era. HBCU enrollments increased 81 percent between 1914 and 1925. More Black students enrolled in college between 1926 and 1936 than in the previous 300 years combined. The surge coincided with several social developments. First was the great African American migration resulting in new schools and desires for economic advancement. Second was the so-called New Negro or Harlem Renaissance begun about 1919. The Renaissance drew together the first wave of elite-educated African Americans (W. E. B. DuBois and Alain Locke, Carter Woodson and E. Franklin Frazier) with an upstart cadre of writers, artists, and scholars who began the first wholesale assessment of Black contribution to American life in literature, painting, and culture. Rogers names the 1920s the birthplace of the “Long Black Student Movement” (LBSM) and New Negro Campus Movement to show the contributions of both to what academics have come to call the Long Civil Rights Movement. The advantage of this paradigm is that it incorporates struggles by women and demonstrates Black student self-activity and self-organization as part of a fightback against corporate paternalism and capitalist discipline in education. For example, the great Student Nonviolent Coordinating Committee activist Ella Baker got her start as a campus organizer at Shaw University in Raleigh, North Carolina when she petitioned to allow female students to wear the latest fashion trend—silk stockings. Students at Fisk University were inspired by speeches by DuBois, a Fisk graduate, who according to Rogers “was to New Negro campus activists what Stokely Carmichael became four decades later to black campus activists—a beacon of resistance.” DuBois railed against the “Power that furnish the Cash,” i.e., white benefactors who wanted to use HBCUs to “train servants and docile cheap labor.” In response, students began a strike wave to demand a change in university leadership and more control of campus policy. In 1923, Black students from a range of schools convened at Howard to form the American Federation of Negro Students, the first national Black student organization in the United States designed, according to one student, to “work from the bottom up” to change Black higher education. By the late 1920s, a strike wave of Black students protesting against various forms of “benevolent despotism” by mainly white administrators had established claims for “basic freedoms” by Black students—the right to socialize, publish a student newspaper, organize student governments, and receive decent food and housing. The Great Depression brought a sharpening and widening of Black student struggle. The movement also moved left. In 1931 James Jackson, who had joined the Communist Party in that year, formed the Cooperative Independence Movement (CIM) at Virginia Union. The CIM joined white students at University of Virginia in presenting to the Virginia legislature a set of grievances against fascism, war preparation, job shortages, and retrenchment in education. Fisk graduate student Ishmael Flory—later an active Communist labor and housing organizer in Chicago—organized pickets of Jim Crow theaters. More than 400 Black youth met in Richmond, Virginia, in 1937 under the auspices of the Communist-led National Negro Congress to establish the Southern Negro Youth Congress (SNYC). Members of the SNYC helped to unionize Richmond’s 5,000 tobacco stemmers. Marx famously wrote that capital comes into the world “dripping from head to toe. . . in dirt and blood.” In two extraordinary chapters about the 1960s and 1970s Black campus movement, Rogers demonstrates that the same was true of Black studies. As happened more famously at Jackson State in 1970, in February 1968, police murdered in cold blood three protesting South Carolina State students in an episode known as the “Orangeburg Massacre.” African American students in turn armed themselves against police violence and COINTELPRO intervention into student movements and went to jail by the hundreds, foreshadowing what Rogers calls in his epilogue “Backlash and Forward Lashes of the Black Student Movement.” While the movement brought into fruition more than 300 new Black studies programs, increased Black admissions and more Black faculty hiring, it also, writes Rogers, “created new contradictions in the racial constitution of higher education—the use of new ideals, supposedly to eliminate the old, to maintain the old.” Now, in the age of the first Black president, Rogers writes: We live in an era in which pleas of reverse discrimination are used to discriminate. Color-blindness blinds us from racism. The Civil Rights Act and the Fourteenth Amendment are used to extinguish African American rights on campus. Standardized testing standardizes the class of students. Racial affirmative action is labeled as racial warfare. Meanwhile, class affirmative action (parental wealth, legacies, networks, superior K-12 schools) is not seen as class warfare. Rogers’s excellent reconstruction of **Black student self-activity across the twentieth century demonstrates the need for revitalized antiracist mass movements today that can dismantle the still prevailing conditions** he so astutely describes. His documentation of **the university’s contradictory position in both defending and challenging state power and its ruling ideas reminds us of the critical potentiality of the university campus for making real revolutionary change**. Most powerfully, Rogers’s view of history as a struggle between oppressed groups and capitalist elites reminds us that **the Old Jim Crow and the New Jim Crow wear a common face and** can only be torn down **through organized mass movements** led by the most militant members of society. SK

Judges must sign the ballot in favor of the critique of Eurocentrism- this is your role as an educator. Independent of whether or not the alternative solves, the act of critique is what you as the judge are endorsing as this opens up the space for imagining alternatives. Reject your Eurocentric white privilege.

Ahlquist and Hudson, [Contesting the curriculum in the schooling of indigenous children in Australia and the USA: from Eurocentrism to culturally powerful pedagogies. Anne Hickling-Hudson (University of Queensland) & Roberta Ahlquist (California State University at San Jose) Comparative Education Review, Vol 47, No. 1, 2003, pp. 64-89. SK]

**Educational systems in white dominated countries**, and what is recognised as formal knowledges, **are shaped by ‘whiteness’**. In the literature on whiteness, it is pointed out that **white and European are viewed as the norm and thus not named,** as other ‘races’ and ethnicities are named. The political agenda involved in this ‘color-blind’ construct denies the link between socio-economic privilege and whiteness. It erases dangerous historical memories ‘in a way that severs the connection between white people’s contemporary privileged social location with historical patterns of injustice’10. White blindness to the difference race makes in people’s lives has a powerful effect on schools and other institutions in white dominant societies. It keeps white people from learning about the role that their privilege plays in personal and institutional racism. **If** white **teachers want to challenge the authority of the** white, **western worldview**, **and build** **a**n anti-racist, **socially just and global curriculum**, **they need to acknowledge their power and privilege**. **This is the foundation for learning to give up that power and instead working to build** anti-racist **alliances across ethnic, racial, and cultural differences**. A key component of such alliances is the principle of self-determination for indigenous peoples and peoples of color in public schooling. The goal is not to elicit feelings of guilt for white racism but to encourage insight into the racialized nature of oppression, as a foundation for working towards the redistribution of power and resources along more equitable lines11. **A postcolonial perspective** puts this process of ‘unmasking whiteness’12 into global context. It **explores the ways in which the Eurocentric curriculum, which includes the practices and assumptions of ‘whiteness’, is often so accepted as the norm that it is invisible and beyond question for many teachers.** **It is rarely admitted at any level of the education system that today’s curriculum still draws from the white imperialist projects** of ‘fostering a science and geography of race, renaming a good part of the world in homage to its adventurers’ homesick sense of place, and imposing languages and literatures on the colonized in an effort to teach them why they were subservient to a born-to-rule civilization’13. **The Eurocentrism of the North American** and Australian **curriculum offered to many indigenous students is not officially recognised, does not meet their educational needs, yet it is, in our view, an important factor explaining their relative lack of success in the educational system**. **This sort of education** **takes it for granted that Eurocentric learning with all its ethnocentric and racial ideologies is, and should be, the norm, the assumption being that all children, regardless of ethnicity, language, class, gender, will benefit from this curriculum.** **A postcolonial perspective names and challenges the legacies of colonialism and their continuation through neocolonial practices.** **This perspective therefore investigates the assumptions underlying discourses of Eurocentrism** including ‘whiteness’, **and explores approaches for constructing alternatives**14. SK

### Case

#### Marketplace of Ideas

McGowan and Tangrini, David F. McGowan and Ragesh K. Tangri, A Libertarian Critique of University Restrictions of Offensive Speech, 79 Cal. L. Rev. 825 (1991). Available at: http://scholarship.law.berkeley.edu/californialawreview/vol79/iss3/8

One is tempted to skirt this difficulty by arguing that the truth is itself defined by the **marketplace-truth** is that which **comes to be accepted through competition**. As a justification, however, **the argument is perfectly circular**: **We protect speech in order to preserve a marketplace of ideas that seeks truth, "truth" being defined as that which emerges from the marketplace. In other words, we create a marketplace to provide us with truth, which we proclaim as such when it is a product of our creation.** Worse, **a rigidly process-based theory of objective truth should make us at least a touch uncomfortable**. **The Nazis were able to avail themselves of a relatively open marketplace to gain power**,58 **and racism has a lengthy history of dominating the marketplace in the United States**. The point for now is simply that we should be reluctant to abandon completely the idea of objective truth in favor of a rationale that is, as stated, so completely circular. We should not read substantive content into a procedural metaphor. Because **marketplace theory is process-based**, we must confront another problem: why choose this process over any competing process? As Professor Schauer puts it, "[i]f truth is defined by reference to and in terms of a process, then **why is the process of open discussion preferable** 57. Cf. Jacobellis v. Ohio, 378 U.S. 184, 197 (1964) (Stewart, J., concurring) (discussing the difficulty in defining obscenity but claiming "I know it when I see it").

#### The only constitutionally protected speech that universities actually restrict is hate speech which means that the aff (a) does nothing and (b) is net worse because they allow hate speech only. This is an inherency and a solvency takeout.

Moore **in** ’16 Social Studies Research and Practice www.socstrp.org Volume 11 Number 1 112 Spring 2016 You Cannot Say That in American Schools: Attacks on the First Amendment James R. Moore Cleveland State University 2-3-17 AL

The first amendment, a crucial component of American constitutional law, is under attack from various groups advocating for censorship in universities and public schools. The censors assert that restrictive speech codes preventing anyone from engaging in any expression deemed hateful, offensive, defamatory, insulting, or critical of sacred religious or political beliefs and values are necessary in a multicultural society. These speech codes restrict critical comments about race, religion, gender, sexual orientation, physical characteristics, and other traits in the name of tolerance, sensitivity, and respect. Many hate speech codes are a violation of the first amendment and have been struck down by federal and state courts. They persist in jurisdictions where they have been ruled unconstitutional; most universities and public schools have speech codes. This assault on the first amendment might be a concern to all citizens, especially university professors and social studies educators responsible for teaching students about the democratic ideals enshrined in our constitution. Teachers should resist unconstitutional speech codes and teach their students that the purpose of the first amendment is to protect radical, offensive, critical, and controversial speech. The first amendment in the Bill of Rights, the foundation of individual freedom in the United States, protecting the freedoms of religion, speech, press, assembly, and petition. These basic freedoms, derived from Enlightenment philosophy and codified in the world’s oldest written constitution, have been an essential characteristic of American democracy and law since 1791. This is continuity considering “between 1971 and 1990, 110 of the world’s 162 national constitutions were either written or extensively rewritten” (Haynes, Chaltain, Ferguson, Hudson, & Thomas, 2003, p. 9). The first amendment has been the conduit employed by U.S. citizens to create an increasingly free and just society based on the constitutional ideals of equality before the law, popular sovereignty, limited government, checks and balances, federalism, and individual liberties (Center for Civic Education, 2009). Advocates for the abolition of slavery and the expansion of civil rights were able, after long struggles, to achieve their goals of expanding freedom and social justice by using their natural rights to free expression and religious liberty (Dye, 2011). Since no constitutional liberty or right is absolute, American institutions continuously debate the definitions, limitations, and exceptions to these fundamental rights based on social, political, and technological changes. This task has been exacerbated by increasing cultural diversity and technological changes (the Internet and social media) that expand communication. In addition, efforts by some people to censor language in the name of tolerance and respect for diversity have increased in recent years (Foundation for Individual Rights in Education, 2013, p.4). The first amendment is the world’s oldest written safeguard for freedom of expression—this includes allowing blasphemy and expression that may be radical, offensive, controversial, ignorant, and militantly bigoted—and is the cornerstone of participatory democracy (Haynes et al., 2003). The first amendment is under constant attack from some religious organizations, political action groups, ethnically-based activist groups, and, most alarmingly, from American public universities that severely restrict freedom of expression and public debate (Foundation for Individual Rights in Education, 2013; Haynes, 2013; Hudson, 2011). The Foundation for Individual Rights in Education (2013) found “62% of universities **(254 out of 409 universities in the survey)** maintain severely restrictive red-light speech codes – policies that clearly and substantially prohibit protected speech**” (p. 4). Many Americans do not understand, or do not accept, that the first amendment protects unpopular, offensive, controversial, and radical speech**; this includes making hateful statements about race, gender, religion, and any other topic the speaker wishes to address (Haynes et al., 2003; Marshall & Shea, 2011; Pew Forum on Religion and Public Life, 2010). Many hate speech codes, thus, often are defined “as hostile or prejudicial attitudes expressed toward another person’s or group’s characteristics, notably sex, race, ethnicity, religion, or sexual orientation” (Dye 2011, p. 508). The hate speech instituted in American universities and Kindergarten-12 schools are often, albeit well-intended, violations of the First Amendment (Foundation for Individual Rights in Education; Haynes, 2013; *Saxe V. State College Area School District*, 2001).

#### Free speech on college campuses is only for white people – we succumb to their freedom of speech, not ours.

Downey in ‘14 [R. Jamaal Downey is a doctoral student at the University of Massachusetts at Amherst.] 3-11-2014, "The Paradox of Free Speech within the Context of White Supremacy -," Racism Review, <http://www.racismreview.com/blog/2014/03/11/paradox-free-speech-within-context-white-supremacy/> 2-3-17 AL

**The ability of some white people to shout a single word to enact such rage among such a large group, and then cry when said rage ensues, should be charged** with a crime. I understand that personal judgment is subjective and does not hold weight in court, but the use of this word to tease black people into confrontation should not be legally sanctioned, by omission. I don’t know the answer I am trying to get at; hell I don’t know the question. I do know that in this age of colorblindness even though **overt racism is evermore present today than in the past,** the school to prison pipeline at its strongest, and capitalism’s uncanny stranglehold on education has created a false sense of a post-racial America. This pseudo-post-racial-world that is being created in attitudes and minds of younger Americans but which is not actualizing and materializing in real life, has as much supporting theory as trickledown economics. **We are on a slippery slope that descends us back into pre-civil rights times. The ability to use language in this manner,** as a carrot on a stick in which I will beat you once you reach for the carrot, **is the same structure that was used to dehumanize the large swaths of people that have been systematically oppressed. (W)e (T)he (P)eople, pertaining to whites only, can freely speak their minds without thought. (W)e (T)he brown (P)eople must succumb to their freedom of speech embedded in White Supremacy.**

#### Classroom diversity is increasing but perception of educational barriers ruins inclusion – makes it TRY or DIE for the neg and proves free speech alone can’t solve

Ruggs and Hebl in ’12 Enrica Ruggs Assistant Professor in Psych @ UNC Chapel Hill & Michelle Hebl Martha and Henry Malcolm Lovett Professor of Psychology and Professor of Management @ Rice, Apply Research to Practice (ARP) Resources, 2012, [“Literature Overview: Diversity, Inclusion, and Cultural Awareness for Classroom and Outreach Education”, bcr 1/12/17

**Al**thoughthe education system is becoming more diverse**,** students who come from stigmatized groups (e.g., groups that are the target of negative stereotypes, prejudice, and discrimination) still perceive barriersto education. These perceptions may be the result of both actual differences in the treatment of students in the classroom and the inability of educators to understand students and be sensitive to and inclusive in teaching styles and content. Thus, this overview examines how to achieve greater diversity, inclusion, and cultural awareness in the classroom. Although this topic is relevant to numerous groups of students, the focus will be on diversity and inclusion as they relate to gender and race. First, the overview examines why the presence of diverse students does not necessarily equal diversity in education. In other words, integration is a necessary but insufficient condition for achieving fairness and equality for all students. Although a classroom may include diverse students, if some students perceive barriers and do not feel included, an actual atmosphere of diversity may not exist. Furthermore, minority students (particularly Black and Hispanic) are more likely than nonminority students to run into other barriers in primary and secondary education due to lack of access to higher-quality teachers in math and science classes, higher-level advanced classes (e.g., physics), and resources (National Science Board, 2010). Such barriers cause minority students to be less prepared to enter STEM fields in college and the workforce.

#### Protecting free speech at all costs silences marginalized groups on campus – chills antiracist activism and precludes socially just protection policies

Stanley in ’16 Jason Stanley Phil prof @ Yale, Chronicle of Higher Education, Feb 26 2016, ["The Free-Speech Fallacy", http://www.chronicle.com/article/The-Free-Speech-Fallacy/235520/] bcr 1-12-2017

Recent campus protests were an opportunity to test out the Heterodox Academy’s specious narrative. Students have voiced opposition to racial bias. The most common complaints concern the persistent lack of faculty of color, and damaging racial stereotypes. But what does this have to do with free speech? Students are right to be upset when they raise genuine concerns and are met with evasion. Of course, being told that merely taking seriously their concerns is a threat to free speech would be even more upsetting, though that is in fact the official position of the Heterodox Academy, whose members argue that social-justice concerns, which explicitly include, as we have seen, antiracism, are threats to free speech. All year, the charge of imperiling free speech has been used to silence oppressed and marginalized groups and to push back against their interests. Shockingly, this misuse of free speech is defended, explicitly and repeatedly**,** by absurd arguments that place freedom of speech in opposition to social justice, activism, and even liberalism. Students subjected to this misshapen conception of freedom of speech would be well within their rights to resist, on grounds of basic plausibility. Or knowledge of history. The journalist A.H. Raskin, describing the Berkeley campus unrest in the 1960s, writes: The proudly immoderate zealots … pursue an activist creed — that only commitment can strip life of its emptiness, its absence of meaning in a great "knowledge factory" like Berkeley.

#### Stressors on students of color harm degree achievement and contribute to a less diverse workforce

Doan in ’11 Jimmy Doan, B.A. in Econ @ College of the Holy Cross, The Vermont Connection Volume 32 pp. 33-34 , 2011, [“The Impact of Campus Climate and Student Involvement on Students of Color”, <http://www.uvm.edu/~vtconn/v32/Doan.pdf>] bcr 1/12/2017

Baccalaureate degree completion rates are a significant concern for higher education administrators in the United States. This issue is more relevant for students of color**,** who “exhibitextremely low degree completion rates relative to the overall college student population” (Museus, Nichols, & Lambert, 2008, p. 1). A study at a four-year institution showed White students earn their bachelor’s degree within six years at a rate higher than their Black and Hispanic peers. Asian students, in the same study, earned bachelor’s degrees at rates equal or greater than White students (Keller & Silverman, 2002). Beyond the perpetuated achievement gap, stressors **also** contribute to students’ of color achievement and attitudes toward their college experiences. An epidemiological study by Silverman, Meyer, Sloane, Raffel, and Pratt (1997) concluded that the rate of suicide among college students was approximately 7.5 per 100,000 (as cited in Choi, Rogers, & Werth Jr., 2009). Furthermore, the results of the 2000 National College Health Assessment (NCHA) Survey indicated that Asian American students were 1.6 times more likely to have seriously considered attempting suicide than their White peers. The report indicated that Asian and Hispanic students are at a high risk for suicide ideation and attempts on college campuses. **These** stressors**, which can develop from the climate that students of color find themselves in,** are important to consider in order to create environments that will allow all students to succeed. Using a campus climate assessment tool developed by Susan Rankin in 1998, students were surveyed about their experiences on campus. The results indicated that students of color experienced harassment at higher rates than White students. Also, students of color perceived the campus climate to be more racist and less accepting than their White peers (Rankin & Reason, 2005). As data from the 2010 US Census shows, the number of people of color has increased**.** As a result**, it is evident that** the number of racially diverse students in higher education will continue to increase**.** The aforementioned problems must be considered to ensure that all students, White students, and students of color are obtaining a quality higher education experience that prepares them for the diverse worldthey will enter after graduation.

#### Turn – empirically proven that free speech increases racial tensions – specific examples that occur on campus show that we need protections against bigoted and racist behavior

Kingkade et al in ‘15 Tyler Kingkade Lilly Workneh Ryan Grenoble Nov 16th, 2015 Campus Racism Protests Didn't Come Out Of Nowhere, And They Aren't Going Away Quickly Mizzou seems to have catalyzed years of tension over inequality and race. Senior Editor/Reporter, The Huffington Post, Senior Black Voices Editor, The Huffington Post News Editor, The Huffington Post http://www.huffingtonpost.com/entry/campus-racism-protests-didnt-come-out-of-nowhere\_us\_56464a87e4b08cda3488bfb

Protests staged on college campuses last week are the culmination of years of activism around inequality and everyday racism, and incidents pushing racial divisions to the surface. The demands activists are making are reminiscent of similar protests decades earlier. And scholars caution there's no single switch colleges can flip to fix things -- improving racial tensions on campuses will likely take years. "What we are seeing is the beginning of a movement where students and student groups across campuses are finding the courage to speak up about what they have been experiencing," said Yolanda Sealey-Ruiz, a scholar of Latino and black male students, at Columbia University. "I think Mizzou is a catalyst, an inspiration perhaps, but not a one-off event. I think we are also witnessing a reprise to history -- college campuses have historically been places where protest to inequality has taken place." Students are arriving on campus believing racism remains persistent in America today. According to an annual survey of more than 150,000 incoming freshmen by UCLA, **the percentage of students who believe racism is no longer an issue has risen** slowly **over 25 years**, **from 19 percent in 1990 to 24 percent in 2015**. **Students of color who've spoken** with HuffPost say that does not surprise them, **give**n that students are growing up witnessing high-profile deaths of unarmed black men and teens, like Trayvon Martin, Tamir Rice and Eric Garner. Those experiences are coupled **multiple examples of fraternity and sorority parties featuring black face and caricatures** of various ethnic groups, **while Muslim students at** some **campuses have been subjected to spying by law enforcement.** "We're not that much that different than the people being killed," said Taylor Lemmons, a junior at Claremont McKenna College. "Just because we're going to get a degree from these shiny institutions doesn't mean we're that much different." In some cases, students who say racism is still a prevalent issue have been proven right. The University of Alabama's sororities didn't begin accepting black women as members until 2013. **In March, fraternity brothers in Oklahoma were caught on video singing and laughing about lynching black men** -- **racial slurs included.** "We're living in a time where issues that haven't been appropriately attended to for a number of years are getting much more attention," said Benjamin Reese Jr., Duke University's chief diversity officer. "I don't think students suddenly woke up to things. I think they're reacting not only to the events on campus and incidents around the country." Brown University senior Armani Madison said part of his discontent with his school is fueled bydemands made by black students in 1968, 1975 and 1985 that "have yet to be fulfilled, despite university promises." Activists at Occidental College noted their demand for a black studies major has existed since 1968.

#### Turn – students who need the speech the most actually prefer speech restrictions. Thus, all their arguments about how they say that may help minorities do not matter because activist groups specifically say that they do not want these restrictions to be removed. Thus, voting affirmative is acting contradictory to minority free speech itself because they have voiced their opinion in opposition to voting for the affirmative side

Knight Foundation in ‘16 [Knight Foundation has established endowed chairs in journalism at top universities nationwide. The chairs are leading journalists who take positions as tenured professors within academia. They practice journalism, teach innovative classes, and create experimental projects and new programs that help lead journalism excellence in the digital age.], 09-22-2016, "HISTORICALLY BLACK COLLEGE AND UNIVERSITY STUDENTS’ VIEWS OF FREE EXPRESSION ON CAMPUS" <http://www.knightfoundation.org/reports/hbcu-free-speech-campus> DOA:

**Students who attend** historically black colleges and universities (**HBCUs**) in the United States are confident that First Amendment rights are secure, but **are more likely** than other college students **to favor limits on First Amendment press freedoms during campus protests**, a Gallup report has found. The report, sponsored by the John S. and James L. Knight Foundation and the Newseum Institute, is a follow-up to an April survey of 3,072 U.S. college students (including HBCU students) on their views of First Amendment rights. The new report compares findings from the national sample with responses from 302 full-time students at HBCUs, as well as 357 black students at other colleges. **The report shows** that while a large majority (75 percent) of HBCU students view freedom of the press as secure, **56 percent** – double the percentage of national college students at 28 percent – **believe college students should be able to prevent reporters from covering campus protests. Correspondingly**, **HBCU students express less trust in the media** than the national sample. **This study sought to** better **understand how** U.S. **college students interpret their First Amendment rights**, and the role that their environments and backgrounds play in shaping their views. Florida Agricultural and Mechanical University (FAMU) will host a student panel discussion today on “Free Speech on HBCU Campuses” to discuss the findings of the report. “Amid intense debates around free speech on campus, these findings highlight a deeper story behind student perceptions of the First Amendment. They have the potential to help fuel a more informed debate around these important rights and open new avenues for further study,” said Sam Gill, Knight Foundation vice president for learning and impact.

#### Bullying and harassing speech are considered to be protected under the first amendment.

Bader **in** ’11 Hans Bader, Competitive Enterprise Institute, 8-10-2011, ["Schools Use "Bullying" as a Pretext to Violate Students' Rights to Free Association and Freedom of Speech", https://cei.org/blog/schools-use-bullying-pretext-violate-students-rights-free-association-and-freedom-speech] JT 2-15-2017

To the extent that school **officials** attempt to define speech as "bullying" merely because it "embarrasses" a less popular student[s], that violates students' recognized First Amendment rights, especially in the college setting. Even speech by children **that has** a hostile 'purpose' is generally protected as long as it is not severe, lewd, or **disruptive,** as a federal appeals court noted in striking down a school's anti-harassment policy in [Saxe v. State College Area School District (2001)](http://scholar.google.com/scholar_case?case=3871484090559091159&hl=en&as_sdt=2&as_vis=1&oi=scholarr).  Colleges can't apply anti-violence policies to speech that merely embarrasses people or depicts them in a negative light, as the U.S. Court of Appeals for the Ninth Circuit noted in [Bauer v. Sampson](http://scholar.google.com/scholar_case?case=5675912020027012748&hl=en&as_sdt=2&as_vis=1&oi=scholarr) (2001), which held that a college professor's caricatures of a college president and satirical yearning for his death were protected by the First Amendment.  Similarly, the Ninth Circuit held that the First Amendment protected a professor from being sued for racial harassment for his racially-charged emails about immigration, which offended Hispanic faculty, in [Rodriguez v. Maricopa Community College Distric](http://www.ca9.uscourts.gov/datastore/opinions/2010/05/20/08-16073.pdf)t (2010).  Labels like "bullying" and "harassment" do not make otherwise constitutionally-protected speech lose its protection.

#### Anti-bullying speech codes exist on college campuses in the status quo.

Fire **in** ’15 “THE STATE OF FREE SPEECH ON OUR NATION’S CAMPUSES FOUNDATION FOR INDIVIDUAL RIGHTS IN EDUCATION" FIRE, <https://www.thefire.org/spotlight-speech-codes-2015/>, JT 2-16-17

In recent years, “bullying” has garnered a great deal of media attention, bringing pressure on legislators and school administrators—at both the K–12 and the college levels—to crack down on speech that causes emotional harm to other students. On October 26, 2010, OCR issued a letter on the topic of bullying, reminding educational institutions that they must address actionable harassment, but also acknowledging that “[s]ome conduct alleged to be harassment may implicate the First Amendment rights to free speech or expression.”[[31]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn31) For such situations, the letter refers readers back to the 2003 “Dear Colleague” letter stating that harassment is conduct that goes far beyond merely offensive speech and expression. However, because it is primarily focused on bullying in the K–12 setting, the letter also urges an in loco parentis[[32]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn32) approach that is inappropriate in the college setting, where students are overwhelmingly adults. Under New Jersey’s 2011 Anti-Bullying Bill of Rights Act,[[33]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn33) speech that does not rise to the level of actionable harassment (or any other type of unprotected speech) is now punishable as “bullying” at public universities in the state. Critically, New Jersey’s language lacks any objective (“reasonable person”) standard, labeling conduct as bullying if it “has the effect of insulting or demeaning any student or group of students.” As a result, students must appraise all of their fellow students’ subjective individual sensitivities before engaging in controversial speech. While the Act does require that there be a “substantial disruption” to the educational environment, it places the onus squarely on the speaker to ensure that his or her speech will not cause another student, however sensitive or unreasonable, to react in a manner that is disruptive to the educational environment (such as by engaging in self-harm or harm to others). Many of the same flaws plague the Tyler Clementi Higher Education Anti-Harassment Act, a bill that was introduced by Senator Patty Murray and has been included in the Senate Democrats’ first draft of the Higher Education Act, which is currently pending reauthorization. The Act defines harassment, in relevant part, as conduct that is sufficiently severe, persistent, or pervasive so as to limit a student’s ability to participate in or benefit from a program or activity at an institution of **higher education**, or to create a hostile or abusive educational environment at an institution of higher education.[[34]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn34)Again, because of the lack of an objective, “reasonable person” standard, this formulation conditions the permissibility of speech entirely upon the subjective reaction of the listener—something courts have repeatedly ruled unconstitutional.[[35]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn35) Unsurprisingly, with so much attention from federal and state lawmakers,FIRE has seen a dramatic increase in the number of university policies prohibiting bullying. Many universities have addressed the issue by simply adding the term “bullying,” without definition, to their existing speech codes—giving students no notice of what is actually prohibited and potentially threatening protected expression. Yet other policies explicitly restrict protected speech by calling it “bullying” or “cyber-bullying.” Examples of such policies include: At the University of West Alabama, “cyberbullying” includes sending “harsh text messages or emails.”[[36]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn36) At McNeese State University, “bullying may be intentional or unintentional,” and “the intention of the alleged bully is irrelevant” when an allegation of bullying is made. Bullying includes “maligning a person or his/her family” as well as “remarks that would be viewed by others in the community as abusive and offensive.”[[37]](https://www.thefire.org/spotlight-speech-codes-2015/" \l "_ftn37)

#### **Removing anti-bullying policies would increase incidents of bullying on college campuses – empirics prove.**

Wajngurt **in** ’13 Clara Wajngurt, Ph.D., Sanders On, Not in Our Town, 4-17-2013, ["Anti-Bullying Policies in Higher Ed", https://www.niot.org/blog/anti-bullying-policies-higher-ed]]2-16-2017 When a college develops an **anti-bullying policy**, the existence of this policy will **ensure that the college will continue to maintain an environment of respect and consideration for others** This means that the **anti-bullying policies** will **apply to everyone on campus, including all students, faculty and administrators**. Most colleges in the United States do not have anti-bullying policies written in their college handbooks. People who engage in bullying may not realize how much distress they cause to the person who is being victimized. At least if an anti-bullying policy did exist on campus—then all **students, faculty and administrators** would **take comfort in realizing that their colleges are seriously interested in the welfare of all who work at and attend their university.** Discussion of an Anti-Bullying Policy In order to discuss the creation of an anti-bullying policy on a university campus, let us consider the definition of bullying, how to educate others in recognizing the existence of bullying, how to prevent bullying, and look at colleges that have attempted to develop anti-bullying policies at their universities. We’ll start first with a generic example of an anti-bullying policy and we’d like to hear your feedback. Sample Anti-Bullying Policy A. RECOMMENDED ANTI-BULLYING STATEMENT Bullying can foster a climate of fear and disrespect which seriously impairs the physical and psychological health of its victims and creates conditions that negatively affect any learning and working environment. **Every college and university should be committed to maintaining high standards for behaviors where every member of the College community conducts oneself** in a manner which demonstrates proper regard for the rights and welfare of others. This Anti-Bullying statement therefore, seeks to educate the College community about bullying, and to promote civility and respect among all its members, including the administration, faculty, staff, and students. B. DEFINITION 1. Bullying is defined as the aggressive and hostile acts of an individual or group of individuals who are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals. 2. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents, and may manifest itself in the following forms: Physical Bullying includes pushing, shoving, kicking, poking, and/or tripping another; assaulting or threatening a physical assault; damaging a person’s work area or personal property; and/or damaging or destroying a person’s work product. Verbal/Written Bullying includes ridiculing, insulting or maligning a person, either verbally or in writing; addressing abusive, threatening, derogatory or offensive remarks to a person; and/or attempting to exploit an individual’s known intellectual or physical vulnerabilities. Nonverbal Bullying includes directing threatening gestures toward a person or invading personal space after being asked to move or step away. “Cyber bullying” is defined as bullying and individual using electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones. C. EDUCATION/PREVENTION **Policies on the campus to effectively deal with bullying behaviors** are needed. Bullied employees report decreased job satisfaction, lower productivity and create potential conflicts with other employees. Particularly **colleges and universities** that have experienced recent leadership changes, **that have** large bureaucracies and a history of tolerant **cultures which freely express statements** that are **not kept in line,** have more incidents of bullying. Freedom of expression and thought are essential for the process, however **there are rules of conduct that need to be enforced in light of** a college’s mission and goals statements. The leadership at the **colleges and universities** must develop clear statements **of** organizational values which include **a culture of mutual respect.** The colleges must arrange an early-alert program in which administrative/academic departments are coached in bullying behavior. In addition to educating its employees on harassment policies, workshops must be conducted on an ongoing basis to train its employees on anti-bullying behavior. An objective mediator or someone specialized in conflict resolution would be helpful. Grievances, and complaints, and bullying behavior must be taken seriously. Last of all we must introduce specific legislation dealing with anti-bullying bills on the federal and state levels-so that leadership on campuses will be appropriately guided by such federal and state regulations

## AT Specific ACs (1NC)

### AT: Byram Hills Faciality AC

#### 1. The 1AC relies upon a deleuzian analysis of faciality which originates from an anti-black a-priori epistemological understanding.

Krall, [Joe Krall (Facing the Light: Deleuze and the Critique of Faciality), Academia, <http://www.academia.edu/13262103/Facing_the_Light_Deleuze_and_the_Critique_of_Faciality>, SK.]

I will begin with a brief note on method: In this paper I would like to present a response to **Deleuze and Guattari's description of the abstract machine of faciality** in the seventh chapter of A Thousand Plateaus, **which offers up a description of the process of facial determination as localized around the figure of the white face, personified in Jesus Christ**. I argue that **this description fails to account for the manner in which this white face's construction is dependent on a prior violence against the figure of the black face, a figure implicit in, but continually repressed by the Deleuzean schemata**. In order to do this I will situate the faciality chapter against a counter construction of the face that I read in the visual apparatus of Minneapolis hip-hop artist I Self Devine's music video for the song Exist to Remain. Following Frank WiIderson's work in Red, White & Black, I present this video not as an analogy for the metaphysical principles under discussion-this would make the mistake of thinking the grammar of anti-black violence as placed within the metaphysical thought-world of **Deleuzean** philosophy rather than as its enabling condition. Instead I present the video as a demonstration-and I mean this term in the mathematical sense-of a certain narrative and representational logic, the logic of anti-blackness. Or, to put a finer point on the matter, as a demonstration of **metaphysics' a prion' reliance on a certain performance of anti-black violence**. SK

#### 2. Deleuzian understanding of an ontology defines Blackness as animalistic and Whiteness as the norm. This collapses an ontology of difference into an ontology of identity, the very thing they want to avoid.

Krall 2, [Joe Krall (Facing the Light: Deleuze and the Critique of Faciality), Academia, <http://www.academia.edu/13262103/Facing_the_Light_Deleuze_and_the_Critique_of_Faciality>, SK.]

As **Deleuze and Guittari develop their critique through the model of a "black hole/white wall system,"** before we can directly address "Year Zero", it is worth grounding our discussion with a few points from De|euze's earlier, ontological work, Difference and Repetition ("Year Zero" 179). **Deleuze opens** the first chapter of the work, "Difference in ItseIf", **with a description of the way that thoughts of blackness and whiteness structure indifference:** Indifference has two aspects: the undifferentiated abyss, the black nothingness, the indeterminate animal in which everything is dissoIved-but also **the white nothingness, the once more calm surface** upon which ï¬‚oat unconnected determinations like scattered members: a head without a neck, an arm without a shoulder, eyes without brows. **The indeterminate is completely indifferent, but such floating determinations are no less indifferent to each other** (Difference and Repetition 28). **Blackness**, here, **operates by bearing the mark nothingness in the ontological field**, **where it serves to disarticulate the possibility of Being-** "everything is dissolved." **Deleuze characterizes this movement as an animalistic** (perhaps not an entirely pejorative term for Deleuze) **violence**; indifference is produced in this instance through the dissolution of the structures of perception as the coordinates of determination become disjoint and an absolute indeterminacy takes hold. **whiteness, by contrast, renders the field indifferent by fracturing the relations between determinations**. Rather than produce the non-Being of indeterminacy, **whiteness affirms positive Being by providing a "calm surface" for the appearance of determination**. "Head...arm...[and] eyes" come into Being dissociated from the "neck...shou|der...[and] brows" which would provide geographic coordination for their appearance through association, yet still they appear. SK

#### 3. An ontology of difference normalizes whiteness while parasitically feeding off the destruction of blackness – this is the exact norm we criticize. It tips the scales in the favor of whiteness, portraying it as calm and tranquil and the foundation for future norms.

Krall 3, [Joe Krall (Facing the Light: Deleuze and the Critique of Faciality), Academia, <http://www.academia.edu/13262103/Facing_the_Light_Deleuze_and_the_Critique_of_Faciality>, SK.]

What the previous description provides for us, then, is a description of different forms of indifierence. By bringing these indifferences into contact, rendering them finite in a co-presence or a relationality, rather than their former infinite solitudes (for certainly the comparative description does exactly the work of constructing a relation between the two formerly infinite fields), **we construct difference itself, an operation that Deleuze calls "thought."** "[T]hought is that moment in which determination makes itself one, by virtue of maintaining a unilateral and precise relation to the indeterminate. Thought 'makes' difference" (Difference and Repetition 29). Yet here we see something troubling. **The white field of indifference supports determinations by providing a surface for them to dissociatively slide across, yet determination "makes itself" only through a relation to the indeterminate, or the ontologically black**. Indeed, for Deleuze "[d]ifference is the state in which one can speak of determination as such" (Difference and Repetition 28). **The white field** thus **depends on maintaining a relation to black**, yet the **indeterminate black nothingness is characterized by no such dependency. The Deleuzean model is thus capable of thinking blackness as such and in itself, yet the construction of a pure whiteness, or an infinite field of white indifference, is possible only by eliminating** or (to use the phenomenological term) reducing **blackness**. **whiteness is thus parasitically** or "unilaterally" **related to blackness**. This relation, which we call "difference or determination as such is also cruelty" (Difference and Repetition 28). What remains most troubling here, is the way in which this recognition of determination as cruelty follows the prior description of the nature of the ontological markers. **whiteness attains its characteristic of calmness in this reduction,** which is to say that its calmness, **the peace** which renders determinations stable within the field, is ontologically grounded in the repression or the forgetting of a prior cruelty. **Blackness**, by contrast, **attains its violent function of dissolution** only in the active recognition of its overtaking determination. That is to say that blackness is violent not in itself, or in its essential and ontological character, but rather in its undoing of a determination which it makes possible a priori. **The** opening **description** thus **functions to invert the scales** and relations of violence. **whiteness is parasitically dependent on the violent eradication of blackness, yet it appears as peaceful tranquility.** Blackness is self-stabilizing and prior, yet it appears destructive and posterior. SK

#### 4. The abstract machine of faciality that the 1AC depends upon starts from a flawed assumption – that the projection of the face is a white function that intensifies the light.

Krall 4, [Joe Krall (Facing the Light: Deleuze and the Critique of Faciality), Academia, <http://www.academia.edu/13262103/Facing_the_Light_Deleuze_and_the_Critique_of_Faciality>, SK.]

**The face then**, as it appears in the later work, "Year Zero", **emerges through the function of "an abstract machine of faciality" that unites these ontological fields** through their co-delimitation within the horizon of a "surface-holes, holey surface, system" ("Year Zero" 168; 170). **This system brings together "black hole[s]" and "white walI[s],"** representational objects that bear the markers of the two poles of indifference discussed in the earlier work ("Year Zero" 177). Again **this combination generates the possibility of determination,** which is here elaborated along two lines: the face "delimitlsl a field that neutralizes in advance any expressions or connections unamenable to the appropriate significations" and "form[s] a loci of resonance that select[s] the sensed or mental reality and make[s] it conform in advance to a dominant reality" ("Year Zero" 168). The structure of determination presented here is that of a violent reduction of the field of indeterminate possibility to the singularity of an overdetermined, univocal expression: the face as collapse. And yet, for Deleuze and Guattari, **this power is not bound up in any face at all, in the generality of this-or-that face, but rather in the "entirely specific idea" of "Christ... your average ordinary White Man"** ("Year Zero 176;178). Here the power of determination is linked with the divine power of the Christ figure and distributed along the lines of white raciality, in a move that configures racism away from a model of interiority and exteriority to an operation "by the determination of degrees of defiance in relation to the White-Man face" ("Year Zero" 178). **Racism's "cruelty [in this system] is equaled only by its incompetence** and naivetÃ©" and understanding which subsumes all bodies under the heading of a more or less deviant whiteness ("Year Zero" 178). To elaborate the functioning of this schema, Deleuze and Guatarri turn to a series of examples drawn from artistic mediation. The most illuminating of these examples is their description of the film screen as analogue for the facial function. Here, the white wall of the face is transformed into the reï¬‚ective surface of a film screen off which significations bounce. The black holes which mar this surface interrupt the purity of this reflective behavior, generating determination through the relativity of the topographic distribution. The affirmation of the bounce is reduced by the negativity the holes' non- bounce and a differential field is thereby generated. **What Deleuze and Guatarri neglect in this construction is the way in which the facial machine, conceived here as the film screen, gains its power only within the horizon of a more significant and prior machine: the projector itself.** The face-as-screen gains its power and even its function only within the beam of a projected light. What else, after all, could bounce from the screen? What mediates the bounce? Seen in this wider frame, the distribution of the light authorizes the screen as screen, the hole as hole. The screen is that part of the field which, allying itself with the light, bounces, multiplying the light in an unlimited escalation of intensity. The hole is that part of the field that sets itself against the light, swallowing the light and halting its propagation. Against Deleuze and Guatarri I ask us instead to think of **the framing of the face they offer as a white face overdetermined by the light**. **Its sanctity and its power derive from** the alliance between the light and the white, **whiteness's position in the Deleuzean framework as that which intensifies the light**. We might ask then, what the face does outside of this overdetermination. Might we introduce instead a different principle with which to over(or underldetermine the face? SK

#### 5. [AT SUNY evidence] Deleuze’s argument is literally the epitome of parasitic whiteness – the process of becoming is inaccessible to the black body.

Massa ’14,

**A prime example of parasitic Whiteness can be seen with Gilles Deleuze’s concept of being in a constant state of “becoming”,** in which we refuse to be shackled by the static identity that dominant institutions label us with so that we can be in a better position to examine our own desire for repression that institutions seem to take advantage of. (Conley, Deleuze and Queer Theory, pg. 25-27). **The parasitism that takes place here is that the idea of being in a constant state of “becoming” is inaccessible to the Black Body because it requires some form of independent subjectivity in the first place**. **In order for one to assure themselves that they are in the state of “always becoming”, that they have the capacity to engage in this process, the incapacity of the Black Body to engage in this form of “becoming” must be maintained so that Whiteness can have that model of incapacity to with which to compare itself to so as to assure itself ontologically that they are in the process of becoming.**

#### 6. Using their “ontology of difference” arguments to respond to the case essentializes the difference between Fanon and Lacon – we are not a Laconian understanding of antiblackness of ontology but a Fanonian understanding of the epistemological nature of racism – it is the difference between identity and action. We are a criticism of the epistemological structure of institutions rather than the identity of structures, which is a crucial distinction that delinks all of their turns.

### AT: Stuy SciFi AC

#### 1. Appropriating science fiction in relation to “race” or seeing science fiction in terms of race corrupts (a) African American authors’ original intents and (b) over-racializes any work which reproduces white superiority by delegitimizing the actual achievements or writing skill of African Americans – turns case.

Seewood ’13, [Andre Seewood(André Seewood is a multiple award winning independent filmmaker, writer and musician. He is the co-founder and former co-editor of FILM THREAT Magazine and a distinguished recipient of the Dennis Turner Memorial Film Studies Scholarship from Wayne State University. He is the author of SCREENWRITING INTO FILM: Forgotten Methods & New Possibilities (2006), SLAVE CINEMA: The Crisis of the African-American in Film 2nd Edition (2011) and (DISMANTLING) The Greatest Lie Ever Told to the Black Filmmaker: Collected Essays on Film (2015). He is also a major contributor to the Indiewire.com/Shadow & Act blog and his articles have “gone viral” and sparked an international conversation about the marginalization of Black filmmakers in the global marketplace. His award winning films are available in the DVD collection, MOTOR CITY CINEMA Vol 1. and MOTOR CITY CINEMA Vol.2. or streaming on-line via Vimeo.com. He has a Master’s Degree in French and a B.A. in Film Studies. He is currently pursuing his PhD. in Media Studies at Indiana University-Bloomington), Freeing (Black) Science Fiction From The Chains Of Race, IndieWire, 07-2013, http://www.indiewire.com/2013/07/freeing-black-science-fiction-from-the-chains-of-race-166987/, 2-11-2017. SK]

In the afterword by the author, Butler makes explicit the themes and context of the story. She states that on one level BLOODCHILD can be read as,” a love story between two very different beings,” and that its context is that of,” a coming of age story in which a boy must absorb disturbing information and use it to make a decision that will affect the rest of his life,” and finally she confesses that,” Bloodchild is my pregnant man story.”(1) **Butler’s** **reason for explicitly detailing the themes and context** in her afterword to the short story **was driven by a central difficultly in the creation and critique of any science fiction by an African-American author**: the certain tendency to see all science fiction by African-Americans as a metaphor or commentary about slavery or racial inequities past and present. As Butler matter-of-factly asserts,” it amazes me that some people have seen “Bloodchild” as a story of slavery. It isn’t.” (2) Yet **this overarching and obsessive need to see all science fiction by African-Americans as a metaphor or commentary on slavery or racial inequities tends to make the question of race a central theme within the work** (whether it is actually there or not) **to the exclusion of all the other prominent themes** as Butler pointed out in her afterword to BLOODCHILD. **In placing the racial frame upon the science fiction/fantasy/or futurist work of African-Americans** we too hastily discard the genuine scientific, fantasy or futurist aspects of the work, which in turn, weakens and /or perverts the author’s original intent**.** In fact, many African-Americans use race as a default critique when we approach science-fiction solely as a means of side-stepping the science within the fiction no matter what the race of the author. For example, many African-American film scholars (Ed Guerrero, Eric Greene, Adilifu Nama), critics and viewers insist upon reading Frank J. Schaffner’s PLANET OF THE APES (1968) as,” a dense racial allegory,” where a white male is,” a signifier of black victimization,“ that obscures the central scientific themes and historical source material of PLANET OF THE APES which were the 1925 Scopes trial, the concept of Darwin’s Theory of Evolution, and the concept of time dilation in space travel.(3) Although later PLANET OF THE APES sequels did deliberately enhance the racial allegory with the saga, perhaps owing to the financial incentives of the Blaxploitation genre that was growing in popularity at that time, the original PLANET OF THE APES, adapted from French author Pierre Boulle’s 1963 novel by Rod Serling and Michael Wilson, is a stunning exploration of skepticism about the theory of evolution and the fear of knowledge that contradicts established beliefs in the face of mounting empirical evidence from an inverse perspective [that the superior apes are derived from the lowly humans].

#### 2. Over-racialized readings of science fiction obscure *intended* messages and social commentary that may be just as valuable – link turns the role of the ballot as it talks about all the “oppressed,” not just Asian Americans. It destroys freedom of artistic expression of African Americans which reproduces racism – turns case.

Seewood ’13, [Andre Seewood(André Seewood is a multiple award winning independent filmmaker, writer and musician. He is the co-founder and former co-editor of FILM THREAT Magazine and a distinguished recipient of the Dennis Turner Memorial Film Studies Scholarship from Wayne State University. He is the author of SCREENWRITING INTO FILM: Forgotten Methods & New Possibilities (2006), SLAVE CINEMA: The Crisis of the African-American in Film 2nd Edition (2011) and (DISMANTLING) The Greatest Lie Ever Told to the Black Filmmaker: Collected Essays on Film (2015). He is also a major contributor to the Indiewire.com/Shadow & Act blog and his articles have “gone viral” and sparked an international conversation about the marginalization of Black filmmakers in the global marketplace. His award winning films are available in the DVD collection, MOTOR CITY CINEMA Vol 1. and MOTOR CITY CINEMA Vol.2. or streaming on-line via Vimeo.com. He has a Master’s Degree in French and a B.A. in Film Studies. He is currently pursuing his PhD. in Media Studies at Indiana University-Bloomington), Freeing (Black) Science Fiction From The Chains Of Race, IndieWire, 07-2013, http://www.indiewire.com/2013/07/freeing-black-science-fiction-from-the-chains-of-race-166987/, 2-11-2017. SK]

These **over-racialized readings** of PLANET OF THE APES **demonstrate how convincingly one can discard the “science” within the fiction to make the subject of race a central theme within any science fiction film or story.** Returning to Octavia E. Butler’s BLOODCHILD, her insistence that **BLOODCHILD** **is not a story of slavery in her afterword is a direct consequence of the over-racializing of the work of African-American science-fiction authors as metaphors or commentaries on slavery or racial inequities.** Neither Butler nor her characters in BLOODCHILD ever mention their race within the text. In effect, **to see BLOODCHILD as a metaphor about slavery is to deliberately obscure the more profound and disturbing aspects of the work which is of course the notion of male pregnancy** and a boy’s coming of age on an alien planet where the adults have made a political accommodation to peacefully co-exist with their alien hosts that has troubling moral, physical and psycho-sexual consequences. This is the “science” within the fiction that cannot by itself prohibit a racial critique but it certainly reveals how **using race as a default critique of science-fiction by African-American authors perverts their themes and chains these authors to the topic of race no matter how much freedom they have within their chosen medium of artistic expression**. For African-American filmmakers **the over-racializing of the themes** **within a science-fiction story** (whether an original story or adaptation) **is ultimately inhibiting because those scientific, speculative or fantasy aspects that attracted you to the work in the first place can easily become obscured, diluted or discarded as “race” insidiously poisons the well of the fictional context and content**. It is a poisoned well that makes us all potentially see the genre of science-fiction,” through a glass darkly,” so to speak.

#### 3. The aff is unnecessary – we don’t need to include Asian American characters or to racialize the text or to use the text in a certain way – allowing individuals to interpret the text of science fiction allows for more identification with anti-racist attitudes.

Seewood ’13, [Andre Seewood(André Seewood is a multiple award winning independent filmmaker, writer and musician. He is the co-founder and former co-editor of FILM THREAT Magazine and a distinguished recipient of the Dennis Turner Memorial Film Studies Scholarship from Wayne State University. He is the author of SCREENWRITING INTO FILM: Forgotten Methods & New Possibilities (2006), SLAVE CINEMA: The Crisis of the African-American in Film 2nd Edition (2011) and (DISMANTLING) The Greatest Lie Ever Told to the Black Filmmaker: Collected Essays on Film (2015). He is also a major contributor to the Indiewire.com/Shadow & Act blog and his articles have “gone viral” and sparked an international conversation about the marginalization of Black filmmakers in the global marketplace. His award winning films are available in the DVD collection, MOTOR CITY CINEMA Vol 1. and MOTOR CITY CINEMA Vol.2. or streaming on-line via Vimeo.com. He has a Master’s Degree in French and a B.A. in Film Studies. He is currently pursuing his PhD. in Media Studies at Indiana University-Bloomington), Freeing (Black) Science Fiction From The Chains Of Race, IndieWire, 07-2013, http://www.indiewire.com/2013/07/freeing-black-science-fiction-from-the-chains-of-race-166987/, 2-11-2017. SK]

To put the matter plainly, **the perceptual frame of racial inequality** (past or present) **can be applied to any story or film regardless of the author’s central themes**; race is a catch-22; a prison house of interpretation from which it seems there is no escape or satisfying resolution. For example, **if you as a filmmaker omit African-Americans from the science-fiction story altogether then the critical concept of “structured absence” allows your critics to use any other non-white race, animal, or object within your film as a symbol of minority otherness and then “interpret” a racial commentary** where you had not intended such a commentary to exist. One needs only to read Ed Guerrero’s devastating analysis of Joe Dante’s GREMLINS (1984) and GREMLINS 2: The New Batch (1990) in his book Framing Blackness.(4) In regards to the absence of African-Americans in the GREMLINS films, Guerrero interprets the Gremlins themselves as symbols of minority otherness and asserts that,” the film’s socially repressed fears have to do with non-white minorities gaining political power, as Gremlins 2, satires the political subtleties of an increasing influential “minority discourse” in contemporary American life more than it plays upon latent anxieties over racial otherness.” (pg.65) Although it could alternately be argued that many White American filmmakers were omitting African-American characters from their science-fiction films in a naïve and erroneous attempt to avoid racial issues and keep those issues from stealing focus from their central themes. **Conversely, if you place African-Americans in lead, co-lead or supporting roles in a science-fiction film, the critics can use the concept of “token presence” to suggest that the actors are performing blackness as a general commentary on race relations** (contemporary, historical or speculative) as author Adilifu Nama does with his analysis of Will Smith in Alex Proyas’ I, ROBOT (2004) in his book Black Space. SK

#### 4. You interpreting the lack of stories of racism as proving that science fiction “refuses to envision race” (that’s from the text of the 1AC) – IS THE PROBLEM. African American authors refusing to envision race can be a product of afro-optimism rather than pessimism, so you impose a colonialist understanding of writing onto your interpretation of the situation of science fiction.

Seewood ’13, [Andre Seewood(André Seewood is a multiple award winning independent filmmaker, writer and musician. He is the co-founder and former co-editor of FILM THREAT Magazine and a distinguished recipient of the Dennis Turner Memorial Film Studies Scholarship from Wayne State University. He is the author of SCREENWRITING INTO FILM: Forgotten Methods & New Possibilities (2006), SLAVE CINEMA: The Crisis of the African-American in Film 2nd Edition (2011) and (DISMANTLING) The Greatest Lie Ever Told to the Black Filmmaker: Collected Essays on Film (2015). He is also a major contributor to the Indiewire.com/Shadow & Act blog and his articles have “gone viral” and sparked an international conversation about the marginalization of Black filmmakers in the global marketplace. His award winning films are available in the DVD collection, MOTOR CITY CINEMA Vol 1. and MOTOR CITY CINEMA Vol.2. or streaming on-line via Vimeo.com. He has a Master’s Degree in French and a B.A. in Film Studies. He is currently pursuing his PhD. in Media Studies at Indiana University-Bloomington), Freeing (Black) Science Fiction From The Chains Of Race, IndieWire, 07-2013, http://www.indiewire.com/2013/07/freeing-black-science-fiction-from-the-chains-of-race-166987/, 2-11-2017. SK]

**One of the most difficult obstacles African-American writers and filmmakers must face when approaching the genre of science-fiction is whether or not to continue the pessimism of present day racial inequities in their visions of the future or whether or not to project an optimism into their visions of the future where racial inequities have been solved.** It is literally a choice between a dystopic future and a utopian future where racial conflicts have either been solved as in a utopia or remain unsolved as in a dystopia. The most pertinent question that might help in making the choice is: Are blacks treated better, worse or fairly in the future than they are today? This choice is of great importance because if the racial inequities have been solved then the writer/filmmaker must find conflicts within the drama beyond race which given the narrow perceptual frame through which many African-Americans view cinema, might be no easy task. For example, in director Ridley Scott and writers Dan O’Bannon and Ronald Shusett’s science-fiction film ALIEN (1979), racial inequities were carried forward into the future by the character of African descent named, Parker (Yapet Koto) who held a mechanical engineering job that was on a lower pay scale than the other whites on the interplanetary mining ship, Nostromo. A fact that can be understood from his concern about their bonus pay which he was told would be revoked if they didn’t fulfill their mission directives. Moreover, he was a subordinate in the chain of command to nearly all of the other whites on the ship besides his fellow white co-engineer, Brett (Harry Dean Stanton). Parker’s death at the hands of the violent space creature was made all the more tragic since he was killed in a futile effort to protect a weak and hysterical white female crew member. By contrast, Brian DePalma’s MISSION TO MARS (2000) projects an optimistic future where racial inequities, it is at least implied, have been solved by the example of the Luke Graham (Don Cheadle) character’s unguarded interaction amongst his white peers and colleagues as well as his command of the first human colony on Mars. It is clear that an optimistic perspective brings the science of the fiction to the forefront and allows the filmmakers and the writers to establish dramatic conflicts through those basic human qualities and frailties that transcend race.” (pgs. 50-51, Slave Cinema) For African-American filmmakers approaching the genre of science-fiction, whether through an original screenplay or an adaptation, I would suggest that if you carry racial inequities forward into the future of your story context you might still be able to keep race from obscuring the central “scientific” themes of your work if you utilize what I call the development strategy. As I detail in my book, SLAVE CINEMA,” **The development strategy usually features an African-American character that is first seen in a minor supporting role, but through successive events and circumstances that reveal his or her cunning, intelligence, sensitivity, wisdom, strength, beauty or empathy this minor supporting role is developed into a lead or co-lead role within the story**. Roland Emmerich’s INDEPENDENCE DAY is one such film that employs the Development strategy concerning the African-American Air Force pilot Capt. Steve Hiller as performed by Will Smith. This character was first seen as a small part of a large multi-racial ensemble cast and the character is developed through the course of the film’s events and circumstances into a hero.” (pg. 70) The Development strategy is particularly effective with integrated casts and with actors who are not well known. Alternately, if you do not want to carry racial inequities forward into the future of your story context you just simply have to cast an African-American in the lead role and concentrate on the dynamics of the central “scientific” themes within the story. For all intents and purposes once you’ve cast that African-American actor in the lead role or you have decided to use the development strategy to move an African-American character from a supporting role to a lead “heroic” role in a science-fiction film you have already effectively made a powerful and inspiring commentary on race regardless of the story context and theme. In choosing either path you can “side step” the catch-22 of race and the racial critiques of “structured absence” [no blacks at all] and “token presence” [one black as a commentary upon all blacks] by remaining faithful to those aspects that are specific to the genre you have chosen. In short, you explore the “science” within the fiction instead of obscuring that “science” through a glass darkly with race. And if seems as if it’s a question of money that is keeping African-American filmmakers from breaking out into the genre of science-fiction then we should take inspiration from the fact that many of the great science-fiction films of cinema history have been made with budgets far less than one would expect. Consider films like La Jetée (1962) by Chris Marker, Alphaville (1965) by Jean-luc Godard, THX 1138 (1971) by George Lucas, The Man Who Fell To Earth (1976) by Nicholas Roeg, Stalker (1979) by Andrei Tarkovsky, The Last Battle (1983) by Luc Besson, The Brother From Another Planet (1984) by John Sayles, and They Live (1988) by John Carpenter; these were films all made by filmmakers who manipulated the formal structure and sound design of their films rather than high production budgets and expensive Computer Generated Imagery.(5) SK

#### 5. What does the aff actually do in the real world? If you don’t get an answer to this question don’t sign your ballot for the affirmative. There are real institutional conditions that stop science fiction from being written by African Americans – how does “writing Science Fiction as a method of interrogating the alienness of Asian Americans in higher institutions of white America” solve? The problem is with the system so the 1NC alt definitely solves better.

Flood ’16, [Alison Flood(), Black science fiction writers face 'universal' racism, study finds, Guardian, 8-1-2016, 16, https://www.theguardian.com/books/2016/aug/09/black-science-fiction-writers-universal-racism-study-finds-fireside-fiction-blackspecfic, 2-11-2017. SK]

**The world of speculative fiction publishing is plagued by “structural, institutional, personal, universal” racism**, according to a new report that found **less than 2%** **of** more than 2,000 **SF stories published last year were by black writers**. The report, published by the magazine Fireside Fiction, states that just 38 of the 2,039 stories published in 63 magazines in 2015 were by black writers. With the bulk of the industry based in the US, more than half of all speculative fiction publications the report considered did not publish a single original story by a black author. “The probability that it is random chance that only 1.96% of published writers are black in a country where 13.2% of the population is black is 0.00000000000000000000000000000000000000000000000000000000000000000000000000000321%,” says the report. **It’s a popular fallacy that if a single black person succeeds then we’ve obviously moved past institutionalised racism** Justina Ireland, author Click here to read the full data. Source: Fireside Fiction “Fiction, we have a problem,” writes Fireside Fiction editor Brian White in the report. “We all know this. We do. We don’t need numbers to see that, like everywhere in our society, **marginalisation of black people is still a huge problem in publishing** … **The entire system is built to benefit whiteness** – and to ignore that is to bury your head in the flaming garbage heap of history.” SK

#### 6. Alt cause is anti-black publishing – you definitely don’t solve publishing by writing more science fiction that *doesn’t get published*.

Flood ’16, [Alison Flood(), Black science fiction writers face 'universal' racism, study finds, Guardian, 8-1-2016, 16, https://www.theguardian.com/books/2016/aug/09/black-science-fiction-writers-universal-racism-study-finds-fireside-fiction-blackspecfic, 2-11-2017. SK]

The Nigerian-American author Nnedi Okorafor, winner of the World Fantasy award, told the Guardian that she didn’t “need a report to tell me what I already know. Hell, this is a large part of why I started writing … because as a reader I wasn’t seeing the stories I wanted to read, the characters I wanted to read, the dearth of diversity,” she said. “I don’t spend time despairing over what’s been there for centuries. I keep it moving, regardless.” The report, #BlackSpecFic, was written by Cecily Kane, with data gathered by Ethan Robinson. It focused on black authors specifically, rather than authors of colour more generally, said Kane, because “while all are important, we noticed several patterns – not limited to the short fiction field – in which ‘diversity’ initiatives excluded black people and hid anti-blackness”. Kane called the numbers very damning. “**Speculative short fiction publishing is rife with anti-blackness**, and white speculative fiction writers and publishers need to stop pretending otherwise,” she wrote. I have a better chance of being wrongfully convicted of a crime than I do of selling a piece to a SF magazine Troy L Wiggins, author The author Justina Ireland, in an essay accompanying the report, was equally scathing in her assessment. “**The science fiction and fantasy community has a problem with race.** More specifically, **SFF publishing as a whole is and continues to be anti-black**,” she wrote. “Folks in SFF like to point to successful black authors as though they prove we’ve somehow evolved beyond the shadow of #Racefail, because it’s a popular fallacy that if a single black person can succeed then we’ve obviously moved past institutionalised racism. But an analysis of 2015’s short fiction gives the lie to that truth.” Author Troy L Wiggins wrote in another accompanying essay that: “The truth is that **I have a better chance of being wrongfully convicted of a crime than I do of selling a piece of short fiction to a major speculative fiction magazine**.” SK

## AT: Specific People (2NR)

### AT: Asian Americans Cross Apps

## Links – Case Specific

### Link – Eurocentrism

#### “Free speech” is a Eurocentric notion which seeks to assimilate other bodies into its purview. Free speech applies only to white life and justifies racial dominance. American press proves – when Black people express their protest in forms of “Black Lives Matter” movements or revolts they are shut down because they are “perceived” as a threat to society. Black protest is *always* considered and implicated as unconstitutional within a constitution built upon slavery which means the affirmative can never solve.

**Andrews in ‘16** Kehinde Andrews, Lisa Amanda Palmer "Blackness in Britain" 2016 Routledge Research in Race and Ethnicity

**The lure of a definitive fracture between what it means to be Black and what it means to be European remains at the heart of European forms of domination and governance over non-White non-Western human beings.** The dominant European discourse on immigration, for example, which sits squarely next to expressions of anti-Black and anti-Muslim racisms, works to reinforce the idea that the ‘non-White other’ remains a recurring threat to the assumed coherency of European security and identity. **Europe as an ethnic absolutist fantasy becomes heavily invested in bio-ethnic racial discourses of White hegemony that at once it seeks to uphold and deny through the performance of humanitarianism on one hand while enacting policies that institute race on the other.** The abhorrent racism of David Cameron’s Government towards people crossing the Mediterranean Sea is one where an ethnic absolutist narrative is concerned with protecting and securing UK borders by dehumanizing and criminalizing migrant peoples. The blatant anti-African racism of the British Foreign Secretary, Phillip Hammond, was demonstrated during the summer of 2015 when he claimed that millions of ‘marauding’ African migrants were threatening European standards of living and its social structure (Perraudin, 2015) **The dominant discourse** on immigration in Britain **shaped by the hegemony of the** British right-wing **Government and media** **where racism is more widely blamed for regulating ‘European values’ of free speech and thought** (Hart, 2014) rather than its insidious and ubiquitous role in structuring the terms of debate and of governance. David Cameron can therefore be condemned as ‘irresponsible’ for labelling migrants at the border of Calais as a ‘swarm’ equating their humanity to the lives of pesky insects, without racism being named as the problem that underpins this ideological position. **Black and Brown proximity to death can only be normalized within a social context where Black and Brown bodies are routinely dehumanized and over regulated within racialized power structures that over validate White lives above all others. Regulating Black bodies and tolerating Black deaths underscores the rationale that Black deaths can be consumed and explained away as a recurring, if not necessary, spectacle to guard against the impending and perceived threat of White ‘cultural mutation’** (Gilroy, 1993, 2). Securing White Western hegemony as an ethnic absolutist fantasy has created an ugly, terrifying and perverse social order built on structures of knowing that position European states and European populations (to paraphrase Mignolo, 2011) as ‘the only victims in town.’ In this hegemonic logic of White privilege, being called ‘a racist’ is perceived to be more damaging than social formations of racism because naming racism disrupts White racial comfort (DiAngelo, 2011). Such name calling fosters what is believed to be a harmful culture of “White conformity’ to multiculturalism (Hart, 2014). **In this reality, the human disaster of Black and Brown people being abandoned to drown at sea becomes relegated by what is believed to be the more pressing issue of White individualized victims of freedom of speech.** The whitewashing of freedom of speech permits British tabloid columnists such as Katie Hopkins to gleefully comment on the migrant crisis that, ‘No, I don’t care. Show me pictures of coffins, show me bodies floating in water, play violins and show me skinny people looking sad. I still don’t care,’ all in the name of her protected freedom of expression (Hopkins, 2015). Such a toxic moral compass functions in a dysfunctional political climate where the British Government decides not to support search and rescue operations for migrants because the policy of allowing them to drown is believed to be a deterrent (Young, 2015). Discourses that further produce false moral distinctions between ‘refugees’ and ‘economic migrants’ institute an anti-Black racist logic that appeals to populist sentiments where one group of humanity fleeing war in one region of the world are seen as more deserving of humanitarian assistance than people fleeing poverty and abuses of their human rights. An insidious right-wing populist climate in Britain remains largely unmoved by Black deaths. Instead, African migrants can be explicitly named as ‘marauding’ opportunists intent on irreparably damaging the imagined cultural fabric of Europe. **One way to guard against the perceived hyperbolic threat of cultural mutation is to engage and re-engage the idea that Europeaness** – coded as White authority, charity, liberalism, democracy, capitalism, Christianity, rationality and **free speech – must be defended at all costs. These racialized structures of knowledge not only assume and naturalize Eurocentric political hegemony, they are intimately linked to institutional spaces that have the power to legitimize and produce Eurocentric epistemologies and systems of knowing.** As Sylvia Wynter writes, “The central institutional mechanisms which integrate and regulate our present world system, I propose here, are the prescriptive categories of our present order of knowledge, as disseminated in our present global university system and its correlated textbook industry.” (Wynter, 1994, 55) Wynter’s indictment is the Eurocentric centres of learning are directly implicated in the dissemination of ideas into the wider public sphere by ordering the human configuration of society. Wynter was writing in the aftermath of the Los Angeles riots that had taken place after a Simi Valley jury, with no Black jurors, acquitted four White police officers for the beating of Rodney King. Her open letter to her colleagues at Stanford University called in question the purpose of Black studies in the US. For Wynter, the purpose of Black studies was to rewrite knowledge in service to the dispossessed, to draw our attention to ‘the systematic condemnation nof all the Rodney Kings, and the global poor and jobless who pay the price for our well-being’ (Wynter, 1994, 70). The letter was written to underscore her point that new frontiers of knowledge are required to escape the trap of its present organization (Wynter, 1994). I nits present organization, **White hegemonic logics and knowledge structures create both the epistemological and social conditions that make Black lives both disposable and dispensable.** Wynter reminds us that **systems of knowledge produced in the academy are inseparable from the empirical arrangements of society,** a point that is an applicable to the dispossessed in the US as it to the UK.

### Link – College Campus

#### The structure of college campus’ work to systematically exclude black students and professors. Calling upon the college to remove limits reifies the control that colleges have over the lives of black students and professors. The fact that black professors are not hired demonstrates that white supremacy is woven into the logic of colleges.

Wingfield ’15, [Adia Harvey Wingfield(), The Plight of the Black Academic, Atlantic, 12-15-2015, 15,

There’s a great deal of research—including the work of the sociologists Joe Feagin and Wendy Leo Moore—showing that the conditions black students are protesting are serious, widespread, and often ignored. In one account, Feagin shares a story of **a black student who waits after class to ask a white professor a question about that day’s lecture, only to be told “I thought you were waiting to rob me or something**.” Another student describes “one of those sad and angry nights” when, walking to the dorm, white students drove by yelling racial slurs and throwing beer cans at him. In Wendy Leo Moore’s study of elite law schools, she offers similarly wrenching examples. For instance, there is the white professor who punishes a black female law student for discussing the offensiveness of racial slurs, but does not challenge the white male law student who comments during a class discussion that black students are intellectually inferior. As Moore describes, even the ways law schools teach students to focus on “individual intent” means that **social, academic, and legal practices that discriminate against students of color can be summarily dismissed if white social actors “didn’t mean any harm.”** Thus, no matter how invidious the action, no matter the consequences of the behavior, legal reasoning centers on individual whites’ intentions and discounts the lived experiences of people of color. For faculty of color, similar processes are frequently at play. In fact, **predominantly white colleges and universities may even be more reluctant to recruit and hire faculty of color than students of color**. While students matriculate at an institution for a short period of time and then leave, **the tenure system means that faculty of color may remain at a university for decades, even a lifetime**. With this longer time frame, **these professors develop more of a stake in the school, and may be more empowered to push for the reforms many colleges resist**. For universities that see no real reason to change their existing practices, traditions, and organizational cultures, bringing in a critical mass of faculty of color is often a stated goal that never materializes. Indeed, when it comes to faculty diversity, the numbers suggest a pretty bleak picture. **Blacks constitute less than 10 percent of the professoriate**, and these numbers thin out the higher the academic rank. And as lots of research shows, when these professors are in the numerical minority, their experiences aren’t all that different from what DuBois encountered as he attempted to navigate higher education in the early 20th century: exclusion, marginalization, and the consistent message that, as a black person, he was not suited for the academy and that his ideas were unwelcome. Indeed, Supreme Court Justice Antonin Scalia’s recent suggestion that blacks are best suited for “less advanced, slower track school[s] where they do well” are strikingly similar to the arguments about black inferiority that DuBois confronted in the 19th century—the very assertions he was able to debunk with scientific research**. Many faculty members and administrators will dismiss this lack of diversity as a pipeline issue, claiming that they simply can’t find “qualified” candidates of color to fill faculty positions**. But as was the case in DuBois’s day, many historically black colleges and universities are populated by faculty of color, many of whom are exemplary researchers and teachers who work with a fraction of the resources offered at elite, predominantly white universities. “**Qualified” candidates of color** are there. They simply **are not proportionately represented in historically white institutions**. For faculty of color who do seek and find employment at predominantly white schools, research suggests that the issues they face are in some ways similar to those that students of color have described in the recent wave of protests. For example, in a recent study, the professors Ebony McGee and Lasana Kazembe noted that black faculty were racially stereotyped at work, including being generally expected to entertain and perform for colleagues in ways that were not expected of their white counterparts. Other black professors report that if they study issues related to race, their research is assumed to be less credible, serious, and rigorous than their white peers—even if white colleagues also study racial issues. Black faculty also do a disproportionate amount of service work—jobs that are expected of workers but not explicitly required. These can include mentoring and advising students and junior faculty, serving as a faculty advisor for campus clubs, or being on committees. And there are gender dynamics present as well. The sociologist Roxana Harlow found that **black female professors had to manage gendered racial stereotypes that they were “mean” and “cold” in the classroom, stereotypes that are commonly applied to black female professionals more generally**. And this says nothing of the racialized assumptions that many students (and fellow faculty) bring with them to the university—that black Americans, and by extension, black professors, are less knowledgeable and credible than their peers of other races, regardless of the subject matter they teach. This means that **in practice, black faculty routinely face students, coworkers, and administrators who assume that they are not truly qualified for or capable of faculty work**—all the while concealing the understandable feelings of frustration and annoyance that result. The overall message is that, like black students, black faculty simply do not belong. Though these issues are complex and won’t be solved easily, universities could begin doing more to support faculty and staff of color. DuBois defined the premier problem of the 20th century as the issue of the color line, and this certainly shaped his experiences in higher education. It doesn’t have to be this way today. SK

## Links - Framing

### Link – Government Actor

#### The affirmative, by trying to embrace the concept of a government being just without breaking down the barriers of whiteness, simply reinforces racism.

Curry, [Curry, Tommy J. "[Draft] In the Fiat of Dreams: The Delusional Allure of Hope, the Reality of Anti-Black Violence and the Demands of the Anti-Ethical." *Academia.edu*. Web. 7 Dec. 2014. <http://www.academia.edu/3384301/\_Draft\_In\_the\_Fiat\_of\_Dreams\_The\_Delusional\_Allure\_of\_Hope\_the\_Reality\_of\_Anti-Black\_Violence\_and\_the\_Demands\_of\_the\_Anti-Ethical>. SK]

Traditionally we have taken ethics to **be**, as Henry Sidgwick’s claims, "any rational procedure by which we determine what individual human beings 'ought'**—**or what is right for them—or to seek to realize by voluntary action.” This rational procedure ishoweverat odds with the empirical reality the ethical deliberation must concern itself with. To argue,as is often done, that the government, **its citizens,** or white people should act justly, assumes that the possibility of how they could act defines their moral disposition. If a white person could possibly not be racist, it does not mean that the possibility of not being racist, can be taken to mean that they are not racist.In ethical deliberations dealing with the problem of racism, it is common practice to attribute to historically racist institutions, and individuals universal moral qualities that have yet to be demonstrated. This abstraction from reality **is what** frames our ethical norms and allows us to maintain**,** despite history or evidence,that racist entities will act justly **given the choice**. Under such complexities,the only ethical deliberation concerning racism must be anti-ethical, **or a judgment** refusing to write morality onto immoral entities.

We must approach debate from an antiethical perspective, and must separate ourselves from the historically racist institutions such as the government. By positing that an action would make a white government act “justly”, as the affirmative is doing by endorsing the resolution, is a perpetuation of these harms. We have to break down these institutions to truly break down whiteness, and the harms to any race. The issue is not whether or not immigration solve these harms, but rather the harm that is caused if they are done by governments.

### Link - Ought

#### The affirmative also links through attempting to make “ought” project a future action. This oppresses not only blacks, but all thinkers that are subject to racism.

Curry 2, [Curry, Tommy J. "[Draft] In the Fiat of Dreams: The Delusional Allure of Hope, the Reality of Anti-Black Violence and the Demands of the Anti-Ethical." *Academia.edu*. Web. 7 Dec. 2014. <http://www.academia.edu/3384301/\_Draft\_In\_the\_Fiat\_of\_Dreams\_The\_Delusional\_Allure\_of\_Hope\_the\_Reality\_of\_Anti-Black\_Violence\_and\_the\_Demands\_of\_the\_Anti-Ethical>. SK]

**Ought implies a projected** (futural) **act**. **The word commands a deliberate action to reasonably expect the world to be able to sustain or support.** For the Black thinker, the Black citizen-subject-slave-(in)human, ought is not rational but repressive. F**[f]or the oppressed racialized thinker**, **[and] the ethical provocation is an immediate confrontation with the impossibility of actually acting towards values like freedom, liberty, humanity, and life, since none of these values can be achieved concretely** for the Black **in a world controlled by and framed by the white**. **The options for ethical actions are not ethical** in and of themselves, **but merely the options the immorality of the racist world will allow**, **thus the oppressed is forced to idealize their ethical positions**, **eliminating the truth of their reality**, and the  peeling away the tyranny of white bodies, **so that as the oppressed**, the **can** ideally **imagine** an ―if condition, whereby they are allow ed to ethical engage racism from the perspective of: ―**if whites were moral and respected** the **humanity** of Blacks, **then we can ethically engage in these behaviors.** Unfortunately, **this ought constraint only forces Blacks to consciously recognize the futility of ethical engagement,** **since** it is in this ought deliberation that **they recognize that their cognition of all values are dependent** not **on** their moral aspirations for the world, but the determined by **the will of white supremacy** to maintain virtue throughout all ethical calculations. SK

Thus, “ought” excludes the minority perspective, as it just reinforces the futility of trying to project a future end state, as all futures for them are constrained by the white perspective. Thus, “ought” expressing action, as it is done in this resolution, forces us, as the oppressed, to constantly depend on white supremacy to try and achieve our desires, while making us trivialize the actual harm caused by racism. This is an independent reason to reject the aff.

### Link – Western Phil

#### The affirmative links through their western philosophical texts full of abstractions. The affirmative, by endorsing these ideas, is already being racist in their speech act, meaning that the link is 100% functional.

Vincent,

It is becoming increasingly more apparent **in Lincoln Douglas debate** that **students of color are being held to a higher threshold of proving why racism is bad, than white students are in being forced to justify their actions and in round discourse.** **The abstractness of philosophical texts being used in LD and the willingness of judges** and coaches alike **to endorse that abstractness has fostered a climate in which students are allowed to be divorced from the discourse they are producing**.  **Debate** **should** first and foremost **be viewed as a performance.**  Every action taken, every word said, and **every speech given reflects a *performance of the body.*** **Yet in an age where debate is about how many arguments a student can get on the flow, white students’ performances are consistently allowed to be detached from their bodies,** ***performance by the body***, while students of color must always embody their discourse.  As a result universal theories are allowed to be viewed as detached from any meaning outside of being just an argument. My argument is three-fold.  First, debaters have adopted a “universal principle,” which has allowed them to be detached from the practical implications of what they said.  Second, is that we must re-conceptualize the role of speech and the speech act to account for the in round performances of the body. The final part is that **judges must begin to view their roles as educators and must be accountable for the discourse they endorse with their ballot.** In his chapter on “Non Cartesian Sums,” in Blackness Visible, Charles Mills argues that “white experience is embedded as normative, and the embedding is so deep that its normativity is not even identified as such.” Historically, **universal theories never intended to include black bodies into the cannon.**Mills argues that in philosophy: "**A reconceptualization is necessary because the structuring logic is different.  The peculiar features of the African American experience**—racial slavery, which linked biological phenotype to social subordination, and which is chronologically located in the modern epoch, ironically coincident with the emergence of liberalism’s proclamation of universal human equality—**are not part of the experience represented in the abstractions of European and Euro-American philosophers**." We generate universal theories and assume they can be applied to anyone.  **These abstractions** assume a conception of universality that never intended to account for the African American experience.  This **drown**s **out the perspectives of students of color that are historically excluded** from the conversation.  Normativity becomes a privilege that historically students of color do not get to access because of the way we discuss things.  **These same philosophical texts have served as a cornerstone in Lincoln Douglas and in turn have been used to justify exclusion**.

They cannot delink from the critique or perm it insofar as they have already endorsed these racist mindsets. Even if it is only the arguments which portray a racist connotation, they cannot be separated from the body which says it, meaning that the discourse of the 1AC in itself is racist and should be voted down. If you sign the ballot for the affirmative it means that you endorse their racist discourse.

### Link – “People of Color”

#### Your usage of the term “people of color” links

Pan,

The criticism of Asian Americans’ complicity in a power structure that disregards black life has emerged as a significant theme among young activists eager to ally with the Black Lives Matter movement. Underlying this turn seems to be the desire to expose the shortcomings of what scholar Jared Sexton has called “people of color blindness,” or **the tendency among progressives to flatten or elide the experiences of all non-white people under one umbrella**. As Sexton notes, **this move may obscure or appropriate the specificities of black suffering.** **Claiming that police violence and mass incarceration affect “people of color,” for example, diminishes the fact that blacks remain the primary and most disadvantaged targets of both** — Latinos on average receive shorter sentences than blacks, even as their rates of imprisonment steadily climb, and Asians have the lowest incarceration rates of any group, whites included. In other words, **declaring “my experience is not like yours” may occasionally serve as a necessary intervention into too-simplistic readings of racism in the US that collapse the experiences of different racial groups**. In the words of Rinku Sen, “**As people of color, we are not all in the same boat**.” But if the recent calls to question complicity have been useful in highlighting the disparities in power and access to resources that exist between different subordinated groups in the US, they have also tended to function as inward-looking moral strictures, rather than explanations for how such disparities came into being. SK

### Link – Neuroscience

#### Your validation of neuroscience for determining adolescent development links – it justifies separate treatment based on race and gender.

Maroney[[1]](#footnote-1):

Just as developmental **neuroscience** might, if taken literally, counsel special treatment of the elderly, it **might counsel differential treatment of girls and boys**. **Brain maturation is importantly linked to puberty, and girls tend to reach puberty significantly earlier than boys**. Though physical and sexual maturity are poor proxies for either brain maturity or cognitive development, **there is a clear gender differential, likely linked to pubertal onset**. **Girls**, on average, **experience early-adolescence neural exuberance**—particularly in the frontal lobes—at least a year before boys, and possibly more. If structural brain maturity were the correct legal metric, it would counsel that boys and girls become subject to juvenile-court jurisdiction, and age out of it, at different times; indeed, one testifying expert has conceded as much. The behavioral implications of brain-level gender differences are largely unknown. Whatever they may be, law should not track them. Indeed, behavioral research already shows that boys and girls have markedly different propensities for violence and lawbreaking, and law rightly does not officially impose more severe punishment for girls’ violent acts because they are less normative. **While the equality concern is most evident for gender, it is not confined to it.** **It** would **appl[ies]**y **to any group for whom a statistically significant developmental trend could be identified, including racial or socioeconomic groups**. As **race is strongly linked to age of pubertal onset**—it is well documented, for example, that **African American girls tend to begin puberty much earlier than white American girls**—**boys and girls of different races might be subject to different rules.** **Any argument that law’s treatment of children should track developmental neuroscience must demonstrate why such inequality is not its logical outcome**, and the only way to do so is to concede that neuroscience (and, for that matter, developmental science generally) must sometimes give way to other values.SK

### Link – Deleuze

#### Deleuze’s argument is literally the epitome of parasitic whiteness – the process of becoming is inaccessible to the black body.

Massa ’14,

**A prime example of parasitic Whiteness can be seen with Gilles Deleuze’s concept of being in a constant state of “becoming”,** in which we refuse to be shackled by the static identity that dominant institutions label us with so that we can be in a better position to examine our own desire for repression that institutions seem to take advantage of. (Conley, Deleuze and Queer Theory, pg. 25-27). **The parasitism that takes place here is that the idea of being in a constant state of “becoming” is inaccessible to the Black Body because it requires some form of independent subjectivity in the first place**. **In order for one to assure themselves that they are in the state of “always becoming”, that they have the capacity to engage in this process, the incapacity of the Black Body to engage in this form of “becoming” must be maintained so that Whiteness can have that model of incapacity to with which to compare itself to so as to assure itself ontologically that they are in the process of becoming.**

### Link – Islamophobia

#### The affirmative is the perfect example of the criticism of the 1NC– their focus on contingent violence of Muslim oppression puts anti-blackness as an afterthought – their erasure of this ontological condition is inexcusable – the combination of struggles through the perm is genocide

Qalander 15, Mast Qalander is a Pakistani Muslim who advocates anti-racist, anti-colonial feminism. She has published multiple books and essays/articles on the matters of social justice. “WHY I’M NOT DOWN WITH #MUSLIMLIVESMATTER,” <https://muslimreverie.wordpress.com/tag/anti-black-racism-in-the-muslim-community/> NN

I don’t have a twitter account, but I’m well aware of how hashtags can be used as tools to express solidarity, speak out, and mobilize against injustice. Almost immediately after the Chapel Hill murders, I noticed a lot of Muslims on Facebook using the hashtag #MuslimLivesMatter. It was heartbreaking to hear the news and I understood the grief Muslims were expressing online. However, I cringed when I saw the hashtag because I recalled all of the critiques of #AllLivesMatter, which was used online and in activist rallies/spaces as a response to #BlackLivesMatter. Though #MuslimLivesMatter is not exactly the same as #AllLivesMatter, it still co-opts the movement against police brutality and racism that systematically targets, terrorizes, and devalues black people.∂ It became more unsettling when I watched South Asian, Arab, white, and other non-black Muslims posting up both #MuslimLivesMatter and #AllLivesMatter. While there are many people who mean well when they post these hashtags, I still see a disturbing amount of people getting very defensive (and even make racist remarks) when they are informed about how these hashtags co-opt and appropriate #BlackLivesMatter (and this is yet another example of how we cannot make it about people’s “intentions”). When they persist in posting these hashtags, it seems like they are doing it out of defiance against #BlackLivesMatter, as if the latter is “ethnocentric” and supposedly doesn’t value the lives of non-black people. The persistence and refusal to listen also reflects the anti-blackness that exists in our communities.∂ I know this is an issue that needs to be addressed sensitively. We know the lives of brown Muslims are not valued in this society and I know there are lot of Muslims who are shaken up or feel triggered after the brutal murders of Deah Barakat, Yusor Abu-Salha, and Razan Abu-Salha. Hashtags may seem trivial to some, but they become more than hashtags when we see them used to organize protests and movements. #BlackLivesMatter was created by three self-identified Black queer women, Alicia Garza, Patrisse Cullors, and Opal Tometi. As Garza writes:∂ Black Lives Matter is an ideological and political intervention in a world where Black lives are systematically and intentionally targeted for demise. It is an affirmation of Black folks’ contributions to this society, our humanity, and our resilience in the face of deadly oppression […]∂ When we deploy “All Lives Matter” as to correct an intervention specifically created to address anti-blackness,, we lose the ways in which the state apparatus has built a program of genocide and repression mostly on the backs of Black people—beginning with the theft of millions of people for free labor—and then adapted it to control, murder, and profit off of other communities of color and immigrant communities. We perpetuate a level of White supremacist domination by reproducing a tired trope that we are all the same, rather than acknowledging that non-Black oppressed people in this country are both impacted by racism and domination, and simultaneously, BENEFIT from anti-black racism.∂ When you drop “Black” from the equation of whose lives matter, and then fail to acknowledge it came from somewhere, you further a legacy of erasing Black lives and Black contributions from our movement legacy. And consider whether or not when dropping the Black you are, intentionally or unintentionally, erasing Black folks from the conversation or homogenizing very different experiences. The legacy and prevalence of anti-Black racism and hetero-patriarchy is a lynch pin holding together this unsustainable economy. And that’s not an accidental analogy.∂ There are excellent critiques that I will quote and share below about #MuslimLivesMatter (because I believe they do a better job at explaining the problems of this hashtag), but I’ll just share a few thoughts here. Yes, the lives of Muslims are not valued in white supremacist capitalist heteropatriarchy. We know how the media and Hollywood has demonized Muslims and Islam for a very long time. We know that Islamophobia isn’t something that “only started after 9/11,” but existed well before that. We know how the massacres against Palestinians, Iraqis, Afghans, and Pakistanis show us how brown people are not seen as human beings, especially if they are Muslim. At the same time, we also cannot deny that when we talk about Islamophobia, it is often centered on the experiences of Arab and South Asian men. African/black Muslim men and women are frequently left out of the narrative, marginalized in mosques, otherized, and vilified by Arab, South Asian, white, and other non-black Muslims.∂ Anti-black racism is global. We cannot be preaching Prophet Muhammad (peace be upon him) or the Qur’an’s teachings about diversity and how no one is superior to another person on the basis of race if we are not practicing it in the community. Yeah, we’ll hear Arab, South Asian, and white imams quote Malcolm X whenever it is convenient or boast about Muhammad Ali, but then they’ll marginalize black Muslims or make racist remarks about the black people (Muslim and non-Muslim) in their neighborhood. There is also a colorblind narrative that accompanies the sermons about Malcolm X. I remember a white imam in one of my local mosques giving a speech about how Malcolm used to be a “racist black supremacist” until he went for Hajj and started to accept all Muslims (he liked to emphasize on how Malcolm started to accept white people). The conclusion the imam drew from this was that Islam advocates colorblindness or that “race doesn’t exist in Islam.” This narrative not only ignores Malcolm’s post-Hajj speeches against white supremacy, imperialism, and the western power structure, but also erases his blackness (side note: I’ll be writing a post one of these days on how religious and community leaders, especially those in the west, use Islam to silence anti-racism).∂ We’ll hear non-black Muslims speak highly of Hazrat Bilal (peace be upon him), the Abyssinian companion of the Prophet, and how he was chosen specifically by the Prophet to be Islam’s first muezzin. We’ll hear them talk about how beautiful his voice must have been and how he was one of the most trusted companions of the Prophet. We’ll also hear talk about how Islam doesn’t tolerate racism and point to Hazrat Bilal as proof. Yet, when it comes to the way we treat black people or talk about black people, whether Muslim or not, there is no denying that anti-black racism exists and needs to be actively addressed and challenged. We’ll still hear Arab, South Asian, white, and other non-black Muslims use the n-word (and even argue that they can “reclaim” the term) and use derogatory, anti-black words in Arabic, Urdu/Hindi, and other languages.∂ When two Somali Muslims, Mustafa Mattan and Abdisamad Sheikh-Hussein, were recently murdered (Mattan was murdered a day before the Chapel Hill murders), we didn’t see the same outrage from Muslims in North America nor did we see the start of “Muslim Lives Matter.” It was necessary and important that Muslims spoke out against the murders of Deah, Yusor, and Razan, so I am by no means saying that anything was wrong with this. The only thing that is wrong is how non-black Muslims tend to devalue the lives of black Muslims and non-Muslims. Abdisamad Sheikh-Hussein was 15 years-old and deliberately hit by an SUV that had a message reading “Islam is worse than Ebola” on the rear-view mirror. The Islamophobia and anti-Muslim violence was frighteningly explicit in this case, but why wasn’t there a national outcry about his murder from Muslim communities and national organizations? As Khaled A. Beydoun and Margari Hill recently wrote in their article, “The Colour of Muslim Mourning”:∂ The curious case of Mustafa Mattan is as much a story of intra-racial division and anti-black racism within the Muslim population as it is a narrative about the neglected death of a young man seeking a better life far from home… The outpouring of support and eulogies that followed their deaths revealed that Deah, Yusor and Razan were, in life and in death, archetypes of young, Muslim Americans. Lives neglected by the media, but ones that mattered greatly for Muslims inside and outside of the US. […] Despite a few vocal critics, Mattan’s erasure in the discussion of Islamophobia in North America is evident. The exclusion of Mattan and Sheikh-Hussein perpetuates a harmful hierarchy that privileges Arab narratives and excludes black/African Muslims. This racial stratification relegating black Muslim lives is evident as much in death as it is in life.∂ In order to understand the critiques of #MuslimLivesMatter, we need to acknowledge that anti-black racism exists in our communities. We also need to understand that these critiques are more than just about hashtags. Because #BlackLivesMatter is not “just a hashtag,” it represents a movement. We can create our own hashtag and call for justice and solidarity for all Muslims without co-opting, appropriating, and/or stepping upon the rights of other communities. #JusticeForMuslims and #OurThreeWinners (the latter was started by the victims’ family) should be used instead. Below is an excerpt from Anas White’s excellent article, A Black Muslim Response To #MuslimLivesMatter:∂ #BlackLivesMatter began as a statement to an establishment – an overall system if you will, declaring the seeming unrecognized value of black lives. It continues to hold that same meaning, even as it moves to become an expression of the movement itself. A movement against deep rooted systemic racism, high rates of police brutality, extra-judicial executions, media smearing and vitriol, and the failure of the justice system to actually hold anyone accountable for dead black men, except dead black men. It is important to remember, that #BlackLivesMatter was not born of an occurrence, but of an atmosphere wrought with repeat occurrence. […] A 12 year old black boy was shot and killed for playing with a BB gun, his sister then handcuffed to watch him bleed. A black father was killed in a Walmart, holding a toy gun sold at that very Walmart, in a state where it is legal to carry guns. A black father was shot in the back, while handcuffed. A black father was essentially choked to death in high definition. A black protest was met with a para-military, and national guard troops. A black woman was shot seeking help. A black man was literally lynched. Where were you then? My respect to every single one of you that ever attended a protest, and to every Imam that ever gave mention, but I mean this on a deeper level. Where was the Muslim community in response to these egregious civil rights violations? Where is the Muslim community in solidarity with a movement against these civil, and even human rights issues?∂ And an excerpt from Sabah’s article, “Stop Using #MuslimLivesMatter”:∂ #BlackLivesMatter represents an entire movement and its history. It’s not “just” a hashtag, it’s a powerful outcry born from a racial injustice felt by a people. It cannot, and should not, be molded to fit another people’s struggle. And solidarity, while important (and in fact, essential), never involves co-opting another movement. […] There is obviously nothing inherently wrong with saying that “Muslim lives matter,” but contextually, it’s being used parallel to #BlackLivesMatter — it’s meant to evoke the same concepts, using the same kind of language. This appropriation of a movement is counterproductive and frankly unfair to both the Black and Muslim communities. We should not be blending together two complex, multifaceted issues for the sake of convenience. It’s a reductive move that simplifies both struggles, and it only contributes to erasing the very real, very dangerous implications that Islamophobia specifically holds for Muslims.

#### A focus on Islamophobia without recognition of anti-black violence within Arab communities reproduces white supremacy – a focus on how blackness exists as an antagonism is the key starting point to eliminating Islamophobia

Chamseddine 14, Roqayah Chamseddine is a staff writer for Alakhbar, an online journal that writes on violence and inequality among Muslim communities, “Beyond "conversations:" confronting anti-Blackness among Arab-Americans,” <http://english.al-akhbar.com/node/20159>, NN

When discussing anti-Black racism amongst Arab-Americans one often finds themselves immersed in reductionism, apologetics and ponderous efforts to incapacitate any discourse at all related to the subject. For some, the very idea that anti-Black racism exists not only abroad but within Arab-American communities brings with it a wave of humiliation which rapidly creeps over them, while for others this subject induces a mixture of outright denial peppered with unashamed bouts of acrimony. This issue is one that demands a much more dynamic and vigorous response, and it is about time we do more than ‘have a conversation’ about a worrisome subject that continues to generate immense trauma for its victims.∂ As explained in Dancing on Live Embers: Challenging Racism in Organizations, by Tina Lopez and Barb Thomas, institutional racism stems from a network of structures, practices and policies which construct advantages for white people and oppression, disadvantage and discrimination for racialized people, this includes specific practices and laws which enforce segregation in housing, employment and education and the policies and procedures work to marginalize and exclude people of color.∂ Structural racism is the intersection of many folds of institutional power so as to normalize and legitimize racism. It allows individuals to practice racism unchecked. Arab-Americans, in relation to African-Americans, have the advantage of benefiting from white supremacy and from this network of structures regardless of whether or not they are aware of this system and of its devastating consequences.∂ “Capitalism is utterly incomprehensible without connecting it to the rise of race, racism, racial violence, white supremacy, and racial colonialism." - Professor Reiland Rabaka Our communities must recognize that the active convergence of racism, colonialism and capitalism is necessary to interpret the historical context of societal inequality because, in the words of Reiland Rabaka, Professor of African, African American, and Caribbean Studies in the Department of Ethnic Studies at the University of Colorado, from his work on Black radical politics, “Capitalism is utterly incomprehensible without connecting it to the rise of race, racism, racial violence, white supremacy, and racial colonialism" (Du Bois’s Dialectics: Black Radical Politics and the Reconstruction of Critical Social Theory).∂ Psychiatrist, and political radical Frantz Fanon, whose philosophies continue to impact anti-racist and leftist movements, born in 1925 on what was then a French colony on the Caribbean island of Martinique, discusses these crossings in chapter 5 of Black Skin, White Masks (1952) in which he writes of what he calls the “lived experience of the black”; the discovery of his blackness and the ever-present whiteness around him. In the aforementioned chapter, Fanon continues to grapple with not only his identity as a black man but the confluence of class, capitalism and colonialism and their effects on the colonized - from the racialized political-economic nature of imperialism, including its push for civilizing regions of the world and the creation of “the other,” to branches of capitalism which deny the very humanity of said “other.” “The Negro problem does not resolve itself into the problem of Negroes living among white men but rather of Negroes exploited, enslaved, despised by a colonialist, capitalist society that is only accidentally white,” writes Fanon in chapter 6 of Black Skin, White Masks (The Negro and The Psychopathology); expounding upon the manner in which racism has been institutionalized so as to not only continue but rationalize the subjugation of one group by another. Fanon’s fiery response to racism and colonialism came by way of his masterpiece The Wretched of The Earth (1961) - where we find colonialism there is capitalism, and where there is capitalism there is racism and where these pieces intersect is where we discover the native robbed of his economic, political and human rights.∂ With this in mind, the observation of anti-Black racism amongst Arab-Americans should be viewed through a lense that reaches far beyond the lowest tier, that of social interactions; the language employed, including the use of dehumanizing terms like “abed” (singular) and “abeed” (plural), this reprehensible branding of Black persons as slaves, signifies an alarming reinforcement of racist frameworks - before we challenge these frameworks we must first admit that we are complicit in the demoralization and subjugation of Black persons and communities, and that the extensive exploitation of these communities is oftentimes denied or outright justified.∂ Dawud Walid, the Executive Director of the Michigan chapter of the Council on American-Islamic Relations (CAIR-MI), has been one of many African-Americans bringing attention to pervasive anti-Blackness both online and on the ground, demanding that the use of the word “abeed” end and challenging Arab-Americans to do more than endlessly call for dialogue. “This issue has been dealt with too passively for many years,” writes Walid. He goes on to note that Arab-Americans should take “a more aggressive stands against anti-Black racism.”∂ The romanticism surrounding oppressed peoples is pervasive, especially amongst those involved in anti-racist work who, while claiming to be allies, engage in increasingly dominant savior-esque fetishism. What comes after recognizing the existence of racist structures and the identification of our own complicity is a long but necessary course of action that entails working against these structures and the tokenization that sometimes follows social justice organizations and activities. The romanticism surrounding oppressed peoples is pervasive, especially amongst those involved in anti-racist work who, while claiming to be allies, engage in increasingly dominant savior-esque fetishism and thereby turn powerful opportunities to learn from and engage with marginalized communities into narcissistic therapy sessions where their voices overwhelm and muffle the narratives of these groups; those who tokenize these communities oftentimes come across as well-intentioned but their actions are no less destructive. We are not giving a voice to the voiceless, as the tired adage goes, because their voices surround us - in the words of Lilla Watson, Australian aboriginal artist, activist and educator: “If you have come here to help me, you are wasting our time. But if you have come because your liberation is bound up with mine, then let us work together.”

### Link – Util

#### Racism disproportionately affects people of color – maximizing happiness only applies to white life

Peter 7, Peter is a staff writer for On Philosophy, an online ethics forum, “Utilitarianism Is Unjust,” <https://onphilosophy.wordpress.com/2007/09/08/utilitarianism-is-unjust/>,

A system is unjust when it treats people differently without a good reason for this different treatment. Obviously what counts as a good reason will be debatable, but to get started let us consider only reasons that all parties can understand as good reasons. Racism then is unjust because there is no good reason behind the unequal treatment given to the different races. Of course the racist does have a justification for their bias, they will claim that the other races are inferior. But this is not a reason that both parties will understand, while people of the same race as the racist may agree with him, few members of the races being oppressed will consider themselves naturally inferior. And the racist lacks objectively sound evidence that could in principle convince everyone of that judgment. On the other hand the fact that people receive different treatment according to their wealth in a capitalist system is not necessarily unfair. The justification for this unfair treatment is that the wealthy can spend more money, and hence catering to their needs receives more generous compensation. Thus pricing a good out of someone’s ability to purchase it isn’t unjust, because there is an objective fact of the matter that they simply can’t give as much to you for it as others may be able to. Of course this doesn’t mean that there may not be a good reason to moderate capitalism as well, the poor may argue that principle X implies that they should receive some special treatment. But this is not a rejection of the reasons behind the unequal treatment resulting from a difference in wealth, and hence such unequal treatment is not unjust.∂ According to this principle utilitarianism is unjust because it treats people differently based on their capacity for happiness; although utilitarians can appeal to their principles to justify this different treatment, so can racists, and **like** the racist the utilitarian arguments are not based on objective facts. But before we get into the details allow me to give examples of some groups of people who would be treated unfairly in a purely utilitarian system. The first are those who have no capacity for happiness or unhappiness. There are rare people born without this ability, and we can easily imagine possible species (such as the Vulcans from Star Trek) or conscious computers (such as Data, also from Star Trek) who lack it as well. Utilitarianism cares only about maximizing happiness or pleasure, and so these people effectively wouldn’t count; their treatment would be invisible to the system. Since we can’t make the Vulcans unhappy we would be free to exploit them, turn them into slaves, or whatever else would make us happy. And since we can’t make them happy there is no reason for the system to give them any of the rights or privileges that make us happy. Since they aren’t made unhappy by this treatment the total amount of happiness may be increased, and hence utilitarianism as a system would endorse it. Also treated unfairly are people who are in a permanent state of unhappiness. It isn’t inconceivable that someone might have a condition that prevents them from being happy, and, although many such people might choose to end their lives, there would probably be some who would still choose life. A utilitarian system would take that choice away from them, and to execute them immediately, since they will always be unhappy (negative happiness) eliminating them would increase the total amount of happiness.∂ If such actions could be considered just it would only be if we could somehow convince these people that abusing them on the basis of their capacity for happiness is reasonable, which means convincing them of the validity of utilitarianism. This may be impossible, and not just because utilitarianism advocates acting against their interests. Consider an alien species who is rational, and has emotions, but whose emotions don’t correspond to human emotions. While we are naturally motivated to try to be as happy as possible these aliens are naturally motivated to bring the strength of their Zeb and Geb emotions into balance. Could we convince these aliens that maximizing happiness is reason for them to be treated differently? I am sure that we could make them understand that we are motivated by happiness, and that we wish to maximize it. But they won’t see that as a good reason to let themselves be abused, just as we don’t see another’s desire to steal as good reason to let them steal. No, we will reply that we have interests of our own that stealing from us hurts, and there is no good reason to favor the desire to steal over the desire to be stolen from, and every reason to do the opposite. Similarly, the aliens will reply to us that maximizing total happiness is also against their interests, and that they can’t see a reason to systematically favor happiness over a balance of Zeb and Geb.∂ Moreover the aliens will wonder how happiness, a quirk of our physiological construction, can be invoked as an objective reason to treat people differently. Certainly our own happiness may be taken into account when we act, but it is irrational to act on the basis of other people’s happiness because we have no direct access to it. If someone comes up to us an tells us that they are extremely unhappy, but that a donation of $10 can make then happy again does this supposed suffering give us a reasons to give them money? Of course they could be lying, but they could be telling the truth as well, and since happiness is basically internal we aren’t in much of a position to tell the difference. And because happiness is internal there is nothing stopping us from distorting our judgments of it to justify all kinds of biases. For example, the racist can argue that other races have a diminished capacity for happiness, and that this justifies mistreating them to serve our own needs, and no one can disprove him. Thus it is reasonable to insist that actions be justified by an appeal to objectively measurable consequences that all parties can have a reason to endorse when it comes to creating a system for everyone to live under. And maximizing happiness isn’t among these.

2. Util is based on helping the majority – by definition it would take the needs of the white above all else.

### Link – Policymaking

#### The idea that policy making can ever structurally include black bodies or change a system of antagonisms comes from an incredibly privileged position – conceptions of framework ignore that policy making is built upon black death

Tinson 15, Christopher M. Tinson is an Assistant Professor of African American Studies at Hampshire College, nearest date given is 2015, “Race, Justice, and the Matters of Black Lives,” <http://furmancenter.org/research/iri/tinson>, NN

Mollenkopf and Swanstrom have written a thought-provoking commentary that suggests we give patterns of metropolitan development within cities greater attention in unpacking the significance of what they call “the Ferguson moment.” In other words, place and space matter as much if not more than race in understanding these events. I would offer a few points that intersect with Mollenkopf and Swanstrom’s insights and others that present a different reading of the circumstances of Black life. Where they err is in their discounting of race as a continuing central factor in the processes of structural suppression they highlight. I argue that anti-Black policymaking has been the rule in American society, not an accidental or “old-fashioned” feature, but one that is continually reshaped and which guarantees certain material outcomes from a devaluation of difference.∂ Civil society—lawmakers and ostensibly law abiding citizens—has historically upheld a logic that linked blackness with poverty, ghettos, inadequate housing, and poor education. That these have become synonymous with Black life in the U.S. has established a baseline expectation of Black social deficiency, and thus making a notion of Black “success” exceptional. Even when African Americans effectively engage in the electoral process, a right that many fought and died to achieve, it appears new forms of disenfranchisement have emerged in the form of Supreme Court gutting provisions of the Voting Rights Act and active efforts of voter suppression.[2] Not only have Black people been forced to live on the negative side of most social indicators of wellbeing, America has shown its ability to expand, grow, and develop with said inequity in tow.∂ As the authors point out, the city of Ferguson has tried to make up for revenue shortfalls through fines and fees generated by writing tickets for a variety of civil violations. The targeting of Black residents for these violations entangles them in whole spiral of further collateral consequences--a simple traffic stop can lead to losing a license to losing a job or worse and generally further marginalize Black residents from civic and political participation.. However, Michael Brown was not approached and killed over traffic violations, or for allegedly robbing a nearby store. He was killed because he was Black and “threatening” to a white police officer wielding the power of a lethal weapon and badge of legal authority. ∂ In analyzing the racial and class dynamics governing Ferguson, the authors write: “Race adds to the toxic mix. Police systematically target those who look poor, often black people, because they know they are more likely to have an outstanding warrant – and arrest provides additional opportunities to pile on more court fees and fines.” The authors position race as an add-on, not as the salient feature that the police observe. “Poor” describes an economic standing, but does not always translate visually. Poor people can present themselves in a variety of forms. By contrast, blackness is a highly visible marker, and as a result African Americans suffer the brunt of any profiling, regardless of their actual economic position. Although poverty is often used in economic terms, it can describe political circumstances as well. Middle- and working class Black people across the country also experience political impoverishment in that their rights are often suspended instead of protected.∂ In this context, race need not be made secondary in order to observe the structural and often deadly dimensions of inequity. Race is central to the structure of contemporary U.S. society. This current movement for justice is rooted in a long history of racial oppression. New forms of anti-Black structural arrangements deprioritize Black peoples’ demands for social advancement. Government policies have supported segregation in housing and education, two essential platforms for advancement. Rewarding residential segregation through “white flight” and restrictive covenants, alongside white backlash to calls for racial redress, and the consolidation of white civic identity and political power under President Reagan, also helps explain how indifference to longstanding Black suffering and limited aspirational achievement was institutionalized. This unfortunately has not only persisted but hardened in the decades since the passage of historic Civil Rights and Voting Rights legislation, which were necessary but did not go far enough.[3]∂ Rather than end with a view of the current energy emerging from Ferguson and other epicenters as “fighting the last war,” more traction is gained when we consider current struggles as part of the unfinished agenda of civil rights. One of the unintended consequences of civil rights advancement was that by outlawing segregation it signaled that those institutions and individuals who sought to uphold such practices would have to do so with greater discretion. Ferguson draws attention to some of localized practices of suppression that have gone unaccounted for or easily forgotten. The lessons of race and racism are still being learned sixty years after Brown, and fifty years after Selma. This paradox – how a society advances on some fronts while actively resisting fundamental changes on others – is one that too few Americans are willing to admit, much less engage.∂ The Black youth-led, trans-generational, multi-hued activism in Ferguson, New York, Oakland, California and elsewhere under the banner “Black Lives Matter,” is not misguided, myopic, nor lacking in awareness of the historical roots, government policies, and persistent patterns of inequity and injustice. Enveloped in the vocalized and bodily dissent of this movement one finds deep historical memory, keen insight into gendered forms of antiblack violence, and firm resolve to challenge the injustices of the status

## On Case

### Solvency Deficit

#### Calls to free speech do not make speech free – the absolutist principles of free speech are founded upon the institutional domination of marginalized groups, cementing the white supremacist ideologies of historicized ethics.

**Boler in ‘00** ~ Megan Boler (Professor in the Ontario Institute for Studies in Education at the University of Toronto and editor of Digital Media and Democracy), "All Speech is Not Free: The Ethics of "Affirmative Action Pedagogy," Philosophy of Education, 2000 AL

**All speech is not free. Power inequities institutionalized through economies, gender roles, social class, and corporate-owned media ensure that all voices do not carry the same weight.** As part of **Western democracies, different voices pay different prices for the words one chooses to utter.** Some speech results in the speaker being assaulted, or even killed. Other speech is not free in the sense that it is foreclosed: **our social and political culture predetermines certain voices and articulations as unrecognizable, illegitimate, unspeakable.**1 Similarly, neither are all expressions of hostility equal. Some hostile voices are penalized while others are tolerated.2 **Hostility** that **targets** a **marginalized person** on the basis of **her or his assumed inferiority carries more weight than hostility expressed by a marginalized person** towards a member of the dominant class. Efforts to legislate against “hate speech” within public spaces cannot, in principle, recognize the differential weight and significance of hate speech directed at different individuals or groups. If **all speech is not free**, then in what sense can one claim that freedom of speech is a working constitutional right? If **free speech is not effective in practice**, then a historicized ethics is required. Thus **the discomforting paradox of U.S. democracy:** while **we** may **desire a principle of equality** that applies in exactly the same way to every citizen, **in a society where equality is not guaranteed** we require historically sensitive principles that appear to contradict the ideal of “equality.” An **historicized ethics operates toward the ideal of principles** such **as constitutional rights, but also recognizes** the need to develop ethical principles that take into account **that all persons do not have equal protection under the law nor equal access** to resources. Within a climate of extreme backlash to affirmative action and to women’s rights, I propose what I call an “affirmative action pedagogy”: a pedagogy that ensures critical analysis within higher education classrooms of any expression of racism, homophobia, anti-Semitism, or sexism, for example. **An affirmative action pedagogy seeks to ensure that we bear witness to marginalized voices in our classrooms**, even at the minor cost of limiting dominant voices. The first part of my argument is that all voices are not equal; the second is that the obligation of educators is not to guarantee a space that is free from hostility — an impossible and sanitizing task — but rather, to challenge oneself and one’s students to analyze critically any statement made in a classroom, especially those which are rooted in dominant ideological values that subordinate on the basis of race, gender, class, or sexual orientation. When a student claims, for example, that he has been victimized by affirmative action, and “proves it” with his experience, we cannot allow ourselves or our students to be silenced by this “authority of experience” or “self-disclosure.” No utterance that assumes the inferiority of targeted groups is sacred or immune to interrogation. What does it mean to recognize, in the educational practices of college and university classrooms, that **all voices are not equal**? **The solution is neither to invoke an absolutist sense of free speech, nor to prohibit** simply and absolutely **all hostile expressions.** The uniqueness of classrooms is that, ideally, they provide a public space in which **marginalized and silenced voices can respond to ignorant expressions rooted in privilege, white supremacy, or other dominant ideologies.** Unlike many public spaces in which one may encounter hate speech — say, on a street or in a shopping mall — the classroom is one of the few public spaces in which one can respond and be heard. In these classrooms, educators must deal with messy issues that others cannot or do not want to address. Does this give educators any special Constitutional privilege or dispensation? I leave that question open. However, to advocate that we use classrooms to critically interrogate racist and homophobic remarks is not based on an invocation of free speech. Rather, an affirmative action pedagogy recognizes that **we are not equally protected in practice by the first amendment, and that education needs fairly to represent marginalized voices by challenging dominant voices in the classroom.**

## Weighing

## Frontlines

### It works

As a freshman at Columbia University in 1970, future Attorney General Eric Holder participated in a five-day occupation of an abandoned Naval Reserve Officer Training Corps (ROTC) headquarters with a group of black students later described by the university’s Black Students’ Organization as “armed,” The Daily Caller has learned.

Department of Justice spokeswoman Tracy Schmaler has not responded to questions from The Daily Caller about whether Holder himself was armed — and if so, with what sort of weapon.

Holder was then among the leaders of the Student Afro-American Society (SAAS), which demanded that the former ROTC office be renamed the “Malcolm X Lounge.” The change, the group insisted, was to be made “in honor of a man who recognized the importance of territory as a basis for nationhood.”

Black radicals from the same group also occupied the office of Dean of Freshman Henry Coleman until their demands were met. Holder has publicly acknowledged being a part of that action.

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The details of the student-led occupation, including the claim that the raiders were “armed,” come from a deleted Web page of the Black Students’ Organization (BSO) at Columbia, a successor group to the SAAS. Contemporary newspaper accounts in The Columbia Daily Spectator, a student newspaper, did not mention weapons.

Holder, now the United States’ highest-ranking law enforcement official, has given conflicting accounts of this episode during college commencement addresses at Columbia, but both the BSO’s website and the Daily Spectator have published facts that conflict with his version of events.

Holder has bragged about his involvement in the “rise of black consciousness” protests at Columbia.

“I was among a large group of students who felt strongly about the way we thought the world should be, and we weren’t afraid to make our opinions heard,” he said during Columbia’s 2009 commencement exercises. “I did not take a final exam until my junior year at Columbia — we were on strike every time finals seemed to roll around — but we ran out of issues by that third year.”

Though then-Dean Carl Hovde declared the occupation of the Naval ROTC office illegal and said it violated university policy, the college declined to prosecute any of the students involved. This decision may have been made to avoid a repeat of violent Columbia campus confrontations between police and members of Students for a Democratic Society (SDS) in 1968.

The ROTC headquarters was ultimately renamed the Malcolm X lounge as the SAAS organization demanded. It later became a hang-out spot for another future U.S. leader, Barack Obama, according to David Maraniss’ best-selling “Barack Obama: The Story.”

Holder told Columbia University’s graduating law students during a 2010 commencement speech that the 1970 incident happened “during my senior year,” but Holder was a freshman at the time. “[S]everal of us took one of our concerns — that black students needed a designated space to gather on campus — to the Dean [of Freshmen]’office. This being Columbia, we proceeded to occupy that office.”

Holder also claimed in his 2009 speech that he and his fellow students decided to “peacefully occupy one of the campus offices.” In contrast, the BSO’s website recounted its predecessor organization’s activities by noting that that “in 1970, a group of armed black students [the SAAS] seized the abandoned ROTC office.”

While that website is no longer online, a snapshot of its content from September 2010 is part of the archive.org database.

In a December 2010 GQ magazine profile of Holder, one of his Columbia friends confirmed that he and Holder were both part of the ROTC office takeover.

Holder particularly “connected with four other African-American students” at Columbia, correspondent Wil S. Hylton wrote. “We took over the ROTC lounge in Hartley Hall and created the Malcolm X Lounge,” said a laughing Steve Sims, one of those students.

Hylton described Sims as “the attorney general’s closest friend” and “a man Holder describes as his ‘consigliere.'”

Read more: http://dailycaller.com/2012/09/30/as-college-sophomore-eric-holder-participated-in-armed-takeover-of-former-columbia-university-rotc-office/#ixzz4UwjwgkfP

### AT: Philosophy Solves the K

**1.** Nonsensical – assumes that your phil is somehow valuable independently but there is no warrant for that unless if it prescribes action (philosophy guides action, it is not an action in itself).

**2.** Either your framework (a) precludes the k or (b) is a method to solve for the K – you are conceding reasons as to why we evaluate the role of the ballot first which means that even if you have disadvantages (such as totalization) to my *framework* that doesn’t matter insofar as you do not have an alternate framework – you present your framework as side constraint to solve for the impacts my ROB claims is bad which puts you in a double bind. Either (a) your framework is incompatible as a method under the ROB because of your disadvantages meaning that I am the only one with a functional alternative or (b) your framework provides a disad to my role of the ballot which means there is no way to evaluate impacts so you default to my ROB anyway.

**3.** You don’t have an alternate framework and you don’t have this and you’ve conceded reasons [] that’s a reason why you look to my framework first.

**4.** You have to be winning offense under your framework to win – just because you win a disad to my rob that is not a disad to my *offense under the ROB* merely the ROB itself meaning that you have to win a net benefit or disad to my alternative or win offense under your framework to win – if there is no offense then your args are meaningless.

**5.** Framework gives us a way of viewing actions and weighing impacts as good or bad and weighs them as priorities: Framework’s only job is only to prove which action is good or bad – thus you have to be winning that the advocacy of the 1AC upholds your framework for it to function as offense – if you advocacy doesn’t uphold that then you’re just saying Levinas good with no warrant. The whole postfiat layer of the case is that it upholds the case.

Framework is not prescription it is a statement of description – has descriptions of facts such as the fact that we have an obligation – Framework is a way to show why doing the plan is net beneficial under a certain epistemic or ontological paradigm – they don’t get access to their framework unless if they win the case debate.

Our links prove why your philosophy is bad

1. Our links prove why doing the alt is key to reject the scholarship
2. Our link inductively proves that our role of the ballot comes before your framework

### AT: Phil Solves Wilderson

**1.** New link – saying philosophy solves the K without interrogating the underlying assumptions behind your phil is an abstraction.

Davis-Marks ’15,

This is a discipline that is 97 percent white, so **philosophy**, particularly political philosophy, **has a tendency to abstract from systems of oppression** that have a significant impact on anyone who does not identify with the dominant group. This often leads to philosophers making assumptions about certain bodies and excludes them from even accessing a status of normativity. With that said, it doesn’t make much sense when debaters say that “philosophical education precludes “critical” arguments” because, at times, the fundamental tenets of analytic philosophy are often flawed. When an ethical theory attempts to remove itself from the lived experiences of all bodies, then it becomes impossible for those outside of the dominant group to even attempt to follow said theory. For example, throughout history women have often been labeled as irrational (after all, etymology of “hysterical” means characterized by a uterus and we usually use that word to mean crazy), so it seems strange to talk about concepts such as practical reason without looking at how that affects female bodies. **Debaters must interrogate these assumptions when they attempt to justify any philosophical framework.** The problem isn’t even that we talk about Kant; the fundamental problem lies in how people, in the LD community and the philosophical community at large, categorize and talk about normative philosophy. What we call philosophy is reduced to an analytic pissing contest without calling anything that has to do with our identity into question. Anything that doesn’t conform to the analytic cannon is called “critical theory” which is somehow labeled as inferior to analytic philosophy. Sure it may be nice to hide behind a veil, but at the end of the day I can’t hide my blackness when I walk into a classroom and I’m the only black person there. When a white female debater is told that she’s “bitchy” for acting in ways that don’t conform to her gender, she cannot hide her identity. When black females or females who are lone wolves are cut off in women in debate discussions it has a tangible impact. **What kinds of real world education are we teaching debaters if the only real world is for the white man?** There is merit in work that is not part of the traditional analytic cannon. Pick up some bell hooks, Audre Lorde, Frank Wilderson, Karl Marx, Friedrich Nietzsche, Jean Paul Sartre and tell me it’s not philosophy. All of these people look at social structures and say how we ought to cope with them by giving us guides to action, which at its core, is what philosophy should be. SK

**2.** Nonsensical – you did not confront those assumptions in the 1AC meaning that you cannot come back from the omission – that’s Crenshaw – also proves a net benefit to the 1NC performance that you only chose to engage with privilege after I pointed it out meaning that my act of redefining the starting point – that’s Wilderson 2 – was uniquely key which means my alt outweighs any disad you have to the framework

### AT: Totalization

**1.** Even if my framework is totalizing, fine, my alternative just talks about oppression in general so my alt still solves under your framing

**2.** Double Bind – either (a) you don’t totalize which means that you do not have offense under my framework or any framework (insofar as you present your framework as offense under my ROB) or (b) you do totalize and link impacts back to my framework meaning that the disad is nonunique and theres no benefit or unique reason to vote for you anymore.

### AT: Binary

#### Your claims to the binary are false and misguided – there are no people of color in the “middle” – saying so just reinforces the binary. The reason I am focusing on black oppression is because they are the fulcrum of white supremacy – movements to solve for anti-blackness are key to conceptualize other alternatives.

Nagakawa,

I’m often asked why I’ve focused so much more on anti-black racism than on Asians over the years. Some suggest I suffer from internalized racism. That might well be true since who doesn’t suffer from internalized racism? I mean, even white people internalize racism. The difference is that white people’s internalized racism is against people of color, and it’s backed up by those who control societal institutions and capital. But **some folk** have more on their minds. They **say that focusing on black and white reinforces a false racial binary that marginalizes the experiences of non-black people of color**. No argument here. But I also think that **trying to mix things up by putting non-black people of color in the middle is a problem because there’s no “middle.”** So there’s most of my answer. I’m sure I do suffer from internalized racism, but I don’t think that racism is defined only in terms of black and white. I also don’t think **white supremacy is [not] a simple vertical hierarchy with whites on top, black people on the bottom, and the rest of us in the middle**. So **why do I expend so much effort on lifting up the oppression of black people**? **Because anti-black racism is the fulcrum of white supremacy**. A fulcrum is defined by Merriam-Webster as “the support about which a lever turns” or, alternatively, “one that supplies capability for action.” In other words, if you want to move something, you need a pry bar and some leverage, and what gives you leverage is the fulcrum – that thing you use so the pry bar works like a see-saw. The racial arrangement in the U.S. is ever changing. There is no “bottom.” **Different groups have more ability to affect others at different times because our roles are not fixed**. But, while there’s no bottom, there is something like a binary in that white people exist on one side of these dynamics – the side with force and intention. The way they mostly assert that force and intention is through the fulcrum of anti-black racism. Hang in there with me for a minute and consider this. **Race slavery is the historical basis of our economy**. **Yes, there was/is a campaign of “Indian removal” in order to capture natural resources and that certainly is part of the story. But the structure of the economy is rooted in slavery.** **Our Constitution was written by slave owners**. They managed to muster some pretty nice language about equality, justice, and freedom for “men” because they considered Africans less than human. **Our federal system is based on a compromise intended to accommodate slavery**. **Our concept of ownership rights, the structure of our federal elections system, the segregated state of our society, the glut of money in politics, our conservative political culture, our criminal codes and federal penitentiaries all evolved around or were/are facilitated by anti-black racism.** And this is not just about history. **Fear of black people drives our national politics**, from the fight over Jim Crow in the 50s and 60s, to Willie Horton and the Chicago Welfare Queen in the 80s, and the War on Drugs, starting in 1982 right up to the present. Since 2001, the U.S. has spent about 1.3 trillion dollars on war. Since 1982 we’ve spent over 1 trillion dollars on the drug war. About 82% of drug busts are for possession, while about 18% are for trafficking. Sound like an irrational way to wage a war on drugs? Not if it’s a war on black people. According to Human Rights Watch, **black males are incarcerated at a rate more than six times that of white males** resulting in one in 10 black males aged 25-29 being held in prison or jail in 2009. The same report states: blacks constitute 33.6 percent of drug arrests, 44 percent of persons convicted of drug felonies in state court, and 37 percent of people sent to state prison on drug charges, even though they constitute only 13 percent of the US population and blacks and whites engage in drug offenses at equivalent rates. And why a war on people? The war on drugs is the cornerstone of the “tough on crime” messaging campaign that is key to the Republican Southern Strategy. It suggests that extending civil rights to African Americans resulted in the crime wave of the 1970s (and not the baby boom as is suggested by sociologists) in order to drive white Southerners into the Republican Party. And that “tough on crime” thing, that’s not just against black people. It’s a propaganda war that is weakening civil rights and civil liberties for all of us. **There’s no hierarchy of oppressions where race is concerned, but anti-black racism is the fulcrum of white supremacy.**

#### Your kritik is the problem – makes us complicit with whiteness and does not analyze antiblackness

Park et al ’14,

**We often see a call to “go beyond the Black/White binary” in Asian American racial discourse with claims that anti-Asian racism and the issues of Asian Americans are not sufficiently represented.** As Andrea Smith notes in Heteropatriarchy and the Three Pillars of White Supremacy, **this** multiculturalist **approach is ultimately unhelpful**: “**First, it replaces an analysis of white supremacy with a politics of multicultural representation; if we just include more people, then our practice will be less racist. Not true**. **This model does not addressed the nuanced structure of white supremacy, such as through these distinct logics of slavery, genocide, and Orientalism**. **Second, it obscures the centrality of the slavery logic in the system of white supremacy**, which is based on a black/white binary. The black/white binary is not the only binary which characterizes white supremacy, but it is still a central one that we cannot ‘go beyond’ in our racial justice organizing efforts.” **The real issue that must be addressed is white supremacy and the specific logics of racism that impact all communities of color differently**. **Asian Americans need to shift our focus from ending anti-Asian racism to ending racism for all, or we will be complicit in upholding systemic white supremacy to the detriment of others**. Smith continues by saying, “This way, our alliances would not be solely based on shared victimization, but where we are complicit in the victimization of others. These approaches might help us to develop resistance strategies that do not inadvertently keep the system in place for all of us, and keep us all accountable. In all of these cases, we would check our aspirations against the aspirations of other communities to ensure that our model of liberation does not become the model of oppression for others.” So often, including in this open letter, we see racism addressed through single function apologies and the notion that “both sides” need to move on, obscuring the systemic racial injustices that remain in our society and the church, even when personal relationships are restored. This is not to say apologies are unnecessary. They often are. **However, we must focus on the need for intentional action beyond simple acts of interpersonal reconciliation.**

### AT: Double Bind Perm

**1.** I win a disadvantage to affirming then I win the fact that you cannot do the alternative with the aff

**2.** The link overwhelms the alternative – doing the aff perpetuates oppression so much that there is no way we can do the alternative meaning not doing the aff is key

**3.** Extend the text of the alternative – my alternative says “instead of doing the aff” meaning that it will always be competitive – a perm would both do the aff and not do the aff which is nonsensical

**4.** Either the perm links or severs which perpetuates oppression

**5.** Perm is the exclusionary politics which tries to assimilate the African American perspective into politics instead of starting from a new point such as an unflinching paradigmatic analysis – crossapply Wilderson here.

**6.** This perm is wrong – the alt solving for the aff does not mean justify the discourse of the 1AC, nor make the 1AC any less oppressive. That is a reason as to why you *should* not do the alt with the aff.

**7.** This perm is wrong – the alt solving for the aff does not mean that they are compatible – in a world where we do the affirmative the alternative is weakened considerably – originally the alt is independent of the AC’s politics which means that it is not insufficient, just radically different.

**8.** We cannot do the aff as the aff has already endorsed whiteness – this kills coalitions and the critique. This does not make the alt insufficient, but rather proves that the method by which the alt operates is key. Alt solvency also comes off of the experience and method that we provide - this is a prefiat discursive method as well.

### AT: Do Both

1. The perm severs from the discourse of the 1NC -

### AT: Model Minority

#### The 1AC is a ruse of analogy which tries to place the black in the world and compare oppressions – this is not oppression olympics

Wilderson,

This is one of several moments in Black Skin, White Masks when Fanon splits the hair between social oppression and structural suffering, **making it possible to theorize the impossibility of a Black ontology** (thus allowing us to meditate on how the Black suffers) **without being chained to the** philosophical and **rhetorical demands of analogy, demands which the evidentiary register of social oppression** (i.e., how many Jews died in the ovens, how many Blacks were lost in the Middle Passage) normally **imposes upon such meditations**. **The ruse of analogy erroneously locates the Black in the world—a place where s/he has not been since the dawning of Blackness**. **This attempt to position the Black in the world by way of analogy is not only a mystification, and often erasure, of Blackness’s grammar of suffering** (accumulation and fungibility or the status of being non-Human) **but simultaneously also a provision for civil society, promising an enabling modality for Human ethical dilemmas**. It is a mystification and an erasure because, whereas Masters may share the same fantasies as Slaves, and Slaves can speak as though they have the same interests as Masters, their respective grammars of suffering are irreconcilable. In dragging his interlocutors kicking and screaming through “Fact of Blackness,” or what Ronald Judy has translated more pointedly as “The Lived Experience of the Black,” **Fanon is not attempting to play “oppression Olympics” and thus draw conclusions that Blacks are at the top of every empirical hierarchy of social discrimination**, though that case has also been made.xv Having established that, yes, the Jew is oppressed (and, yes, the Black is oppressed) **Fanon refuses to let the lived experience of oppression dictate the terms of his meditations on suffering**. He writes: [The Jew] belongs to the race of those [who] since the beginning of time have never known cannibalism. What an idea, to eat one’s father! Simple enough one has only not to be a nigger [emphasis mine]...[I]n my case everything takes on a new guise. I am the slave not of an idea others have of me but of my own appearance. (Black Skin, White Masks 115-16) Two tensions are at work here. One operates under the labor of ethical dilemmas-- “simple enough one has only not to be [black] a nigger.”xvi **This**, I submit, **is the essence of being for the White and non-Black position: ontology scaled down to a global common denominator**. The other tension is found in the impossibility of ethical dilemmas for the Black: “I am,” Fanon writes, “a slave not of an idea others have of me but of my own appearance.” Being can thus be thought of, in the first ontological instance, as non- niggerness; and slavery then as niggerness. The visual field, “my own appearance,” is the cut, the mechanism that elaborates the division between the non-niggerness and slavery, the difference between the living and the dead. **Whereas Humans exist on some plane** of being and thus can become existentially present through some struggle for/of/through recognition, **Blacks cannot attain the plane of recognition** (West 82). Spillers, Fanon, and Hartman maintain that the **violence** that **has positioned and repetitively re-positions the Black as a void of historical movement** is **without analog in the suffering dynamics of the ontologically alive**. The violence that turns the African into a thing is without analog because it does not simply oppress the Black through tactile and empirical technologies of oppression, like the “little family quarrels” which for Fanon exemplify the Jewish Holocaust. Rather, the gratuitous violence of the Black’s first ontological instance, the Middle Passage, “wiped out [his/her] metaphysics...his [her] customs and sources on which they are based” (BSWM 110). Jews went into Auschwitz and came out as Jews. Africans went into the ships and came out as Blacks. The former is a Human holocaust; the latter is a Human and a metaphysical holocaust. That is why it makes little sense to attempt analogy: the Jews have the Dead (the Muselmenn) among them; the Dead have the Blacks among them. This violence which turns a body into flesh, ripped apart literally and imaginatively, destroys the possibility of ontology because it positions the Black within an infinite and indeterminately horrifying and open vulnerability, an object made available (which is to say fungible) for any subject. As such, “the black has no ontological resistance in the eyes of the white man” (110) or, more precisely, in the eyes of Humanity. SK

### AT: Policy Focus

Mindset underlines policy – our epistemology governs our ability to craft favorable policy – NC always comes first.

Smith ‘96[Steve, Professor of International Politics at the University of Wales, Aberystwyth, “Positivism and Beyond,” International theory: Positivism and beyond, New York: Cambridge University Press, 12-13]

Once established as common sense, theories become incredibly powerful since they delineate not simply what can be known but also what it is sensible to talk about or suggest. Those who swim outside these safe waters risk more than simply the judgement that their theories are wrong; their entire ethical or moral stance may be ridiculed or seen as dangerous iust because their theoretical assumptions are deemed as unrealistic. Defining common sense is therefore the ultimate act of political power. In this sense what is at stake in debates about epistemology is very significant for political practice. Theories do not simply explain or predict, they tell us what possibilities exist for human action and intervention they define not merely our explanatory possibilities but also our ethical and practical horizons. In this Kantian light epistemology matters, and the stakes are far more considerable than at first sight seem to be the case.

1. Maroney, Terry A. [Associate Professor at Vanderbilt University Law School]. *The False Promise of Adolescent Brain Science in Juvenile Justice*. Notre Dame Law Review, Volume 85, 2009. [↑](#footnote-ref-1)